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on 02 July, 2018

SPEECH

OF THE

DUKE OF ARGYLL

ON THE

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SECOND READING OF THE

EUROPEAN FORCES (INDIA) BILL,

AUGUST 10, 1860.

LONDON:
JAMES RIDGWAY, PICCADILLY, W.
1860.

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EUROPEAN FORCES (INDIA) BILL.

THE Duke of ARGYLL said,—During the last few years questions of great importance in reference to the affairs of India have been brought with more than usual frequency under the attention of Parliament; and on almost all of those questions more or less difference of opinion has prevailed. But I think I may say with truth that on no subject has the difference of opinion been so great or so keenly contested as on the question which this Bill is intended to decide. In truth, my Lords, I believe that the amalgamation of the European forces of the late East India Company's service with the forces of the Line was long considered one of the main difficulties in the way of the transference of the government of India from the Company to the Crown. I well recollect that in the discussions in 1853, during the Administration of Lord Aberdeen, on the "renewal of the charter," when various alternatives were before us, it was considered that the difficulties in the way of an amalgamation of the two armies were among the most serious of those which precluded any proposal being at that time made for the transference of the government from the Company to the Crown. Nevertheless, after a few short years, the occurrence of intervening events and the progress of discussion,

has brought about such a change that a Bill has come up to effect that object, carried by an overwhelming majority in the other House—a majority not of a party nature, but, on the contrary, consisting of all the political parties into which that House is divided, and I should be guilty of affectation if I pretended to expect any serious probability of its being rejected by your Lordships. Yet, I am sure that it is the opinion of the House that this is not a motion which ought to be made as a mere matter of course. It affects too nearly the interests of the Indian Government; and, although I hope it does not affect the interests of any individuals, yet it affects too nearly the long-cherished convictions of a body of men of whom I may say with truth that England has every reason to be proud, to entitle the Government to deal with it in any stage without proving, as far as they can, that it has received due attention, and that every view of the subject has been carefully considered.

Although, therefore, I trust that it is an unopposed measure by the great majority of your Lordships, I think I am justified in laying before the House, in some detail, the grounds upon which the Government has proceeded. And inasmuch as many arguments urged against the amalgamation of the European local army with the army of the Line are derived not so much from the specific provisions of the Bill as from certain indirect consequences which it is assumed will follow it; let me

direct attention to what the Bill is, and to what it is not—to what it does, and to what it does not do.

In the first place then, although many arguments would lead us to suppose that it is so, this is not a Bill for the abolition of the local army of India. After its provisions have come into full operation there will still be a large local army, composed of the natives of various tribes, who are trained to our military service; and, although I do not deny that many changes will be the natural consequence of this measure, yet, if on other grounds it were considered advisable, you might continue the present system of management, and, to a large extent, the present system of officering the local army without the smallest interference as far as regards the provisions of this Bill. In the next place, it is not, properly speaking, a Bill for the abolition even of the European local army. The whole of the regiments of the late East India Company which have any historical recollections will preserve their identity, although the terms of service will be altered. They will retain their ancient names and banners, and the recollections of all their great achievements. The direct consequence of this Bill is simply this, that it will be out of the power of the Secretary of State for India to enlist for the future any European soldiers exclusively for the local service of that country, and thus, after a few years, all the corps which are now local will become corps for the general service of the empire, liable in their turn to all the exigencies and

requirements connected with the defence of Her Majesty's dominions.

Now, my Lords, I do not at all mean to depreciate the importance of the change which I have thus attempted to describe. At the same time I am prepared to argue that the importance and scope of that change has been very much exaggerated. A paper has been laid on your Lordships' table of great importance—no less than the protest of Sir J. Outram, who lately occupied the position of President of the Council of India. That distinguished officer describes the change in these words:—"It is "an organic change in that military system under "which India has been won and kept." I venture to say, in spite of the assent of my noble friend opposite to this assertion (the Earl of Ellenborough) that, so far as concerns either the provisions of this measure, or its necessary consequences, such language is chargeable with very great exaggeration. One would suppose from this language that India had been won and had been kept, if not entirely, at least in a main degree, by the European army of the East India Company. I venture to dispute that assertion altogether, and as it is a matter of some importance, I trust the House will allow me to direct attention for a few moments to some of the facts connected with the past history of the European force in India. Before doing so, allow me to say that whatever is the amount of change which this Bill effects, it is a change infinitely less organic than that which was

the only other alternative presented for the adoption of the Government. I beg the House to recollect that the maintenance of the *status quo* is not in question. None of the officers of the local army, and none of the public men who have espoused their views, contend for the maintenance of a small European local army. The question is not whether we should retain the army which existed, but whether we should create a new army very much increased in numbers and in many respects very differently composed. I think I shall be able to prove, having regard to the past history of India, that the institution of a great and powerful European force separated from the army of the Line would be a far greater change than that which we propose—viz., that the comparatively small army which has hitherto existed shall be amalgamated with the Line.

In the first charter of the East India Company, in the time of William III., no limitation was placed on the powers of the Company as to the number of European troops which they might raise. They were enabled to raise as many recruits as were found necessary for the "defence of their forts and possessions." At that time I need hardly say, it was not foreseen that the East India Company, which was then a mere trading association, would one day become a great territorial power, and but little importance was consequently attached to their military proceedings; but the moment it was seen that they were likely to be that which they afterwards became.

the natural jealousy of the English Parliament and Government was aroused, and statutory limitations were soon placed upon the power of raising European troops. And even long before this precaution was considered necessary, another step practically even more important had been taken, which tended to the same effect. Very early in the history of India—in 1754, that is only four years after the famous defence of Arcot by Clive, the Crown resolved to send troops of the Line to that country, and a detachment of the 39th Regiment, which still bears upon its colours the motto "*Primus in Indis*," formed no inconsiderable portion of the small European force which fought at Plassy. In the year 1773, when the Company assumed avowed authority over the province of Lower Bengal, their European troops amounted in number to 11,468, which, so far as I have been able to ascertain, was the *maximum* which had been reached until the other day. In considering however the importance of this levy, we must look not only to quantity but also to quality. Now there is abundant evidence, that the East India Company and the Government of India attached but comparatively small importance to their European forces. The truth is, that, with the exception of the artillery corps, respecting which peculiar care was taken from the very earliest time, the European army was very ill organized, and in so inferior a state of discipline that the officers of the Company placed almost their entire reliance upon the Sepoy troops, under European

command, and upon the regiments of the Line. In 1773, Clive declared that our existence in India depended upon the Sepoys commanded by English officers, and that the defence of the country might be intrusted to them alone, supported by a corps of artillery, similarly commanded. In 1786 Lord Cornwallis gives this account of the European troops of the Company :—

"The King's British regiments must not be parted with. We have in reality nothing else, except the corps of artillery, that deserves the name of an European force."

Again he says, in the same year,

"The intense heat and unhealthiness of the climate are against all military discipline, yet I was astonished at the good appearance of the King's troops. The Company's artillery are very fine, but their European infantry, on whom the defence of these possessions may one day depend, are in a most wretched state."

I leave your Lordships therefore to judge whether, as far as concerns the earlier contests conducted by Warren Hastings and Lord Clive, it is not clearly proved that at least the conquest of India was mainly effected by the power which was exhibited by the officers of the Company in the organization of native troops, and by the regiments of the Line which were sent from England to reinforce and support them.

Your Lordships will remember that the Board of Control was established by Mr. Pitt in the year 1784. One of its first acts was to insist upon a great reduction of the Company's forces in India. But the view which was taken on this subject, and the

importance which was attached to it, is strikingly illustrated by a celebrated debate which took place in Parliament, a few years later. In the year 1788, when there was an alarm of a renewed contest with the French in that country and in Europe, and when it was determined to reinforce the garrison in India by a considerable force of European troops, the question arose whether that reinforcement should consist of regiments of the Line or of an addition to the local force. Thus the very question which we are now debating, was discussed for many days in both Houses of Parliament more than seventy years ago, and in that discussion Mr. Pitt laid it down as a principle, that ultimately the amalgamation of that army with the Line must be attempted, and said that he would not consent to the adoption of any measure which would render the attainment of that object more difficult. His words were:—

"Such a consolidation was undoubtedly to be wished for, and sooner or later it must be attempted. Of this he would shortly say more, and therefore in this place he would only suggest that Ministers, having this very object in view, had thought it more advisable to raise Royal regiments to serve in India than Company's regiments, because, if they had preferred the latter, they must have made the consolidation so much the more difficult."

The Declaratory Act which Mr. Pitt then introduced, giving power to the Board of Control to send four new regiments of the Line to India, and to charge them on the revenues of the Company, was very keenly contested, and was carried with great reluctance and dislike on the part of a considerable

portion of the House of Commons. It is recorded in the journals of that day that it was carried by a majority of only 67—a majority which, however small it might be considered in the first triumphant Parliament of Mr. Pitt, is one which any Ministry would now accept with very tolerable satisfaction. In consequence of the decision then come to four King's regiments, instead of four Company's, were sent to India, and from that time the number of the Company's European troops steadily diminished, having never, until quite the other day, reached the limits fixed by the Act of 1788—viz., 12,000 men. In 1796 that army was reduced to two regiments of Infantry, or as those regiments consisted of only five companies, in point of fact to one regiment, in each Presidency; the formal change to that number in 1829 being only a matter of arrangement. That was the state of things down to the Affghan war. But I need go no further than the minute of the Governor-General, which has recently been laid upon your Lordships' table, to show that in the conquest and subsequent protection of India the European regiments of the Company have always been considered as playing a comparatively subordinate part. I do not mean to say that they have not always behaved with distinguished gallantry; that they have done; but I am showing the exaggeration of the language used by Indian officers, especially by Sir J. Outram. Lord Canning says:—

"It appears as if these troops, forming as they did a very small

portion of the Indian army, had been until lately almost overlooked by their successive commanders-in-chief."

That does not look as if they had been the main instruments "by which India had been won and kept." I need hardly remind your Lordships that in accordance with the declared opinion of the Government of Mr. Pitt, Lord Cornwallis, at the desire of Mr. Dundas, drew up in 1794 a detailed scheme for the amalgamation of the two armies. Owing to difficulties of detail it was not carried into effect, but both Mr. Pitt and Lord Cornwallis expressed the strongest opinions as to the expediency of the measure and the necessity for its ultimate adoption. I venture to maintain, therefore, that as there was no alternative for the Government except to adopt this measure which had so long been recommended, or to raise for the first time a large English army to be exclusively confined to India, the step which they have taken involves a change far less great, and far less formidable than the other.

In order to show your Lordships how great would have been the change produced by the adoption of the other course, I need only remind the House of the nature of the demand made by those who represent the views of the local force. I presume I may take the opinion of the Military Committee of the Council of India as fairly representing those views. Well, their demand is, that the whole of the artillery, three-fourths of the cavalry, and two-thirds of the infantry, should be exclusively local.

It is true that this opinion has been modified by various individual authorities, but the Governor-General says that the native force ought to be two-thirds of the whole army, and earnestly urges that on no consideration should it be less than one-half. Then, my Lords, I say that a Local European Army of such proportions would be entirely new. It is not the system under which our dominion in India was acquired, or has been maintained.

Why, then, should we adopt such a proposal? There are great mechanical difficulties, if I may call them so, in the way of carrying such a plan into effect. I cannot mention the name of the late Lord Elphinstone without expressing, what I am sure is the general feeling of the House, our deep and heartfelt sorrow at his loss. We had looked forward to having his counsel and his advice upon this subject, and I believe that we are all deeply convinced that among the distinguished men who exerted themselves during that terrible Indian mutiny, none better deserved the vote of thanks, which was moved in such eloquent terms by the noble Earl opposite, than did Lord Elphinstone. What does Lord Elphinstone say as to the mere mechanical difficulty of raising a great European army for India? He says:—

"If we are to have a local European army, we must, in fact, begin almost afresh. Is it worth while to do this? What reasonable prospect is there of a local force, under any circumstances, being equal to the regiments of the line? Above all,

what possible chance is there of such a result being obtained with the officers of the late Bengal army?"

The opinion of Lord Elphinstone clearly was, that the officers of the late Bengal army, in reference to whose interests, in a great measure, that plan has been urged, were not capable of organizing and maintaining the discipline of an European force. And what, upon this point, is the opinion of Lord Canning, who supports the project of a large local army? His evidence, contained in a minute on our table, is even more specific than that of Lord Elphinstone. He says, "Speedily to raise a European army for India, "and to officer it efficiently from our present body "of officers, is impossible." Now look at the project which Lord Canning lays down for the purpose of raising this force, and see the objections which present themselves against it. In the first place, with reference to the late Indian mutiny and the insufficient garrisoning of that country, it has been necessary to increase the troops of the Line there. Something like from 25 to 30 battalions were raised in order to meet that exigency. You have these 25 battalions of the Line in the highest state of organization and discipline. They add to the effective force of the empire, and are available for any other service they may be called on to perform. You would have to commence by disbanding these regiments of the Line. Is not that a very great and serious objection? And how are you to raise and officer the new regiments? Lord Canning says

it cannot be done by the old Indian officers whose interests have been so much urged. For this purpose, therefore, you are to borrow the services of officers of the Line; and when they have succeeded in raising regiments something equal to those which you have already got, but which you must now disband, these new regiments are to be sent out to India and placed under the control and guidance of those Sepoy officers who are declared to be unfit for such duties. Is not that a round-about scheme, and one open to grave objections in point of imperial policy? Again, there is one argument has been stated against the maintenance of a local force in India to which I own I have never attached much importance,—viz., that a large local force would enter into injurious competition with the Line in the recruiting market of this country. It had always appeared to me, if you are to have 80,000 Europeans in India, that it would be the same thing as regards the demand made upon the field of recruitment in England, whether the 80,000 were divided between a local and a Line force, or whether they all composed one army. But the objections taken on this ground have gained strength in my mind since I have seen the demand of Sir J. Outram on this subject. Sir J. Outram fully admits that a change of measures in regard to recruiting will be necessary if there is to be a large local army in India; and he has sent home an appendix to his minute, in which he proposes that arrangements

should be made to attract to the local force the picked men of the whole recruiting field in England. It surely cannot tend to promote the general interests of the empire, that the very best men who can be induced to enter the military profession should have special inducements to limit themselves to an exclusively local service. Surely this would be a needless embarrassment in the main object you have had in all those improvements in the condition of the soldier and in the recruiting system which have lately occupied so much attention.

I think, my Lords, I have now sufficiently proved —first, that the maintenance of such an army would be entirely new; secondly, that it would be very difficult; and I now venture to add, that it would be in the highest degree dangerous.

It is often said that too much stress has been laid on the late strike or mutiny in the local European force in India; and in some respects I am not sure that this may not be true. But be it observed that the argument derived from the danger of mutiny has not been confined to those who object to a local European force. On the contrary, one of the arguments over and over again repeated in the papers on our table by the officers of the East India Company, is that it would be advisable to divide the army into two portions, and that the Queen's troops would keep in order the local force, and the local force in turn would keep in order the Queen's troops. The danger of mutiny is therefore an argument common to both parties;

and the only question is—which system is least likely to expose us to the danger of serious insubordination and mutiny,—a large local force or an amalgamated army of the Line? The answer to that question must depend very much on the evidence we possess in regard to the discipline of the East India Company's former local army. I think it is clear that if the one force be inferior to the other in discipline, the danger of insubordination must be greater in the case of that one, than in the case of the other. I know that in speaking of the discipline of the European regiments of the late East India Company I am touching on extremely delicate ground, and I beg to draw a distinction between discipline in one sense and discipline in another. I believe it is the universal testimony of all Line officers who have served in India that, as far as regards the discipline and the gallantry necessary in the field, no regiments in the world could exceed, as none have exceeded, the services of the Company's regiments. There is ample evidence to the same effect in the papers now on our table. But I must say there is a general concurrence of opinion that, as regards discipline in a different sense, and with reference to the relations between the men and the officers, the regiments of the local force are decidedly inferior to the regiments of the Line. I have already adduced some evidence on this point from the earlier history of the East India Company. I now turn to a more recent period. In 1828 the Duke of Wellington gave evidence

before a committee upon public expenditure. It was proposed to him that, in order to save the heavy expense of frequent reliefs in regard to colonial service, a number of corps should be put on the footing of a local colonial force, in the same manner as the European regiments of the East India Company. What was the Duke of Wellington's reply to that suggestion? He says:—

"The difference in the state of the King's troops in the East Indies from that in which the Company's European infantry is known to be is conclusive against it (the colonial system of corps) in my opinion."

The Duke goes on to say,—

"It is very extraordinary, and I can only attribute it to their being confined there for their lives, that it is so, but it is very extraordinary that the same description of officers, who form the Sepoys into remarkably good troops, cannot form the European infantry to be at all equal to the other troops."

Evidence to the same effect as regards the condition of affairs at the present time, might be adduced in abundance. But I need not go farther than the last minute of the Governor-General. If it had been possible to maintain a contrary opinion, every thing in the argument urged by Lord Canning would have induced him to adopt it. But his admission is emphatic—that "in this respect "(viz. perfection of military discipline) they were "much below the troops of the Line."

It is also admitted by Sir J. Outram, in his protest against the proposed measure, that the discipline of the local force is inferior to that of the Line. He

gives reasons, indeed, for it. It has arisen, he says, from causes over which the officers themselves have had no control—viz., from mistakes on the part of the Government, alterations in the rules of discipline, in respect to the power exercised by commanding officers over the men, and especially from the system of staff employment. I am not now inquiring into the causes of this inferiority in discipline, but merely into the fact of its existence, and I believe it to be proved by the concurrent testimony of all who have written on the subject. I regret to observe a disposition on the part of the East India Company's officers to treat with some degree of depreciation what is called the more perfect discipline of the Queen's army. They say it is the mere discipline of parade; that it does not in any way touch the efficiency of the force in the field, and is of no serious consequence. I am sure your Lordships will agree with me when I say, that we ought to watch with the greatest care and jealousy the operation of any cause which tends to affect, however slightly, the perfection of military discipline—any cause which tends to affect, even in the smallest degree, that sense of subordination and that principle of obedience which is the first duty of a soldier. After all, my Lords, what are we arguing about? Not about the efficiency of the local army in the field, but the danger of insubordination in the times of quiet and peace, when troops suffer the lassitude and inaction of long canton-

ment, and are not under the excitement of active service. The admission, then, of Lord Canning—the admissions of the late Company's officers themselves, —and the concurrent testimony of all former years, in respect to the high comparative perfection of military discipline in the Queen's army is, in my mind, conclusive against a large and almost predominant local force. Some of the causes of their inferiority which have been assigned by Sir J. Outram might probably be removed; but I do not believe they could be removed altogether. Look to the reason given by Lord Cornwallis for the inferiority of the Company's troops in discipline. He refers to the nature of the climate. Lord Canning also thinks this inferiority might to a certain extent be removed, but he says emphatically that "probably "it would not have been possible to keep them up to "the mark of their brother soldiers trained in Eng- "land." It is clear that Lord Canning does not expect the local force ever to reach or equal the perfect discipline of the army of the Line. Well, but surely as regards the garrisoning of India, this is a matter of primary importance. Perfect military discipline is of primary importance even here, where civil authority is paramount, and where every time the soldier quits his barrack he is reminded that he is nothing but a citizen of the State. But in India all is different. There he sees and feels that the authority of the civil Government rests to a great extent on his sword; every thing around him re-

minds him of his importance, and his power; when he quits his barracks he sees a subject population—for although, I trust, we rule the people of India for their own good, it must be admitted, I fear, that we have hitherto kept India by the power of the sword. Therefore, I say, that a large local army feeling that the civil Government entirely depends on them, and in a state of comparatively inferior discipline, would be a source of perpetual anxiety; and I feel sure that the institution of such a force would be an experiment which no English Government will venture to attempt.

Indeed, my Lords, with regard to this question of discipline, it appears to me that the very arguments used in favour of forming this great local army are a sufficient indication of the circumstances of strong temptation in which they would be placed. It is argued that they, as the local force, are to be the permanent garrison of India—the army of the Line being a variable, and comparatively accidental element. They are to be thus taught to believe, as, so to speak, one of the traditions of their birth, that India in an especial sense belongs to them, and that its Government rests on their courage and fidelity. Again, they are to understand that they are constituted with a special jealousy of the "Horse Guards," which I hold with reference to this subject is but another name for the authority of the Crown. They are therefore to watch with jealousy any interference of the imperial Government.

Again, I find it argued that special relations ought to exist between the local Europeans and the native army. And last, not least, for this is perhaps the most dangerous of all—it is one of the conditions on which much stress is laid, that they are to have what is called a fair share of the good things of India. But who are to judge of what is the fair share? Can a great body of armed men, with habits and feelings specially localised, be placed in a more dangerous predicament? Can a Government be placed in a more embarrassing position? I know this view may appear rather overstrained to some; but I have good reason to believe and know that within the last few months—within the course of last year—and I appeal to my noble and gallant friend, late Commander-in-Chief in India, whose accession to this House we are all proud of,—I would appeal to my noble and gallant friend whether, on some very recent occasions, it has not been found a source of serious embarrassment to him and the Government of India that there existed a necessity for dividing the number of commands in certain proportions, not with reference to the free choice of the Government of the fittest men, but with reference to the necessity of consulting the feeling of a divided army?

Then, why should we run all these risks? That there is some risk every Noble Lord must admit. Why should we incur the risk of insubordination and of jealous feeling between two great European forces in India? The main argument, which I know

carries peculiar force with some, is that without it we shall lose the school of officers hitherto so invaluable in India. Now, I do not deny that certain changes in regard to the officering of the army in India, and in regard to staff employments in India, will be the natural, though not the necessary consequences of this Bill. But what I venture to maintain is this, that these changes, and no other, are precisely the changes which have long been considered absolutely necessary by the confession and complaints of Indian officers themselves.

What does Sir James Outram say is the special value of this school of officers? He says it is "a school of officers intimately conversant with the "workings of the native mind." Now, my Lords, I do not wish to make any undue use of the great mutiny of 1857. I sincerely think that state of things arose out of many causes, and the mismanagement perhaps of many preceding Governments, and it would be most unjust and ungenerous to lay the blame of that event on the European officers who commanded the Sepoy regiments. They unfortunately trusted their men with such perfect confidence that a very large number of them were massacred without a chance of escape, and those who did escape should be the objects of our perpetual honour, because they showed a degree of firmness of mind and heroism which casts upon them immortal honour as British soldiers. But surely it is neither unjust nor ungenerous to say that they were not a school

of officers who proved that they were intimately conversant with the workings of the Indian mind. The real truth is this, and it has been confessed over and over again—I heard it alluded to in very eloquent terms by the Noble Earl (of Ellenborough) opposite several years before the mutiny took place—that for many years there had been a growing change in the relations which once subsisted between the European officers and the Sepoy army; and I venture to appeal to him whether the events which took palce in 1857 would have been possible in the earlier and better days of the army of the East India Company. The mutual confidence which then existed between the Sepoy soldier and his officer had for many years been broken down, along with the personal intercourse on which that confidence was founded. I am sorry to see that my noble friend (Lord Ellenborough) intimates dissent. But I have evidence on this point, the authority of which, I think, even he will be disposed to admit. I take one of the Company's most distinguished officers, who himself fell a victim to the mutiny, for he fell in the siege of Lucknow—I mean Sir Henry Lawrence. What does he say on the relations which had come to exist between the European officers and the men of the Sepoy regiments? Sir Henry Lawrence, like many officers in India, was in the habit of contributing to the periodical literature of the day, and he communicated to the *Calcutta Review* a series of articles, since published in

a separate volume, avowedly by him. Among these there are two most interesting articles on the reform of the Indian army, written in 1855-56, before the mutiny, and before his mind could be influenced by any considerations arising out of that event. Referring to various changes in the organization of the Sepoy troops, he says:—

"By removing native officers from corps professedly commanded and officered by Europeans, though too often really managed by havildar majors, opportunity would be given to the European officer to look into the interior economy of his regiment or company. *Seldom is anything of the kind done at present.* So long as all is smooth and quiet on the surface, few inquiries are made. All may be rotten below; the jog-trot is followed. *A mine may be ready to be sprung for all that nine-tenths of the officers would know.* Many do not know the very names of the men of their own company."

Surely these are remarkable words, considering the date at which they were written. But I have further evidence. I would now quote the testimony of another distinguished Company's officer, who is happily still alive, and who occupies a distinguished position in India at the present moment. I mean Sir Patrick Grant. I find him saying, in one of the papers before Parliament:—

"Further, the officers are discontented, only looking forward to leave their regiment for some more pleasant employment, so that they perform, and unwillingly, the bare outline of their duty, *and never, as a general rule, mix or converse with their men;* but, on the contrary, too often refuse to listen to their complaints, at the best telling them to go to the adjutant, and, not unfrequently, 'Go to ——; don't bother me.' . . . . The

consequence of this craving is utter indifference, not to say positive dislike towards the men, and the engendering of a restless, discontented disposition, which is, I doubt not, communicated to the soldier."

I ask your Lordships, do not these extracts from the testimony of such men substantiate what I said, that for some time there had been going on a deterioration in the relations that subsisted at an earlier period between the European officers and their men in India?

Now, what has been the remedy proposed, and loudly called for by many of the most distinguished officers of the Indian army? I have admitted that some changes will naturally follow this Bill; but it will be found that they are precisely such as would follow without it—namely, the formation of a separate Staff Corps, the abolition of the system which kept men on the strength of their regiments when in reality they were employed elsewhere, and other changes of a similar nature. Again, look at this matter in a somewhat different point of view. Is the present system of officering the local army, and the present system of appointment or of promotion in India, so very perfect, that the necessity of making some change in that system should fill us with alarm? Indian officers, when opposing this measure, would appear to think so; but I observe that when they have been writing or speaking without reference to this contested question, they always tell a very different story. Sir John Law-

rence is a great opponent of this measure. A higher authority, I admit, can hardly exist, or one more distinguished in every way. Indeed, so far as my own opinion is concerned, I differ from him almost with greater doubt and hesitation than from any man in regard to this question. Sir John Lawrence, in expressing his dread of the consequences of this measure, says—

"Were the civil and military appointments in India filled up from a general staff corps, its officers would, no doubt, obtain the ordinary and subordinate posts of the service; but such men would have little chance of high commands. They would never be brought forward, as has been the case under the old system, with all its faults."

Well, but what do I find his own equally distinguished brother, Sir Henry Lawrence, saying in reference to the state of things which, previous to the mutiny, prevailed in India:—

"Let no officer obtain the command even of a company until he has proved his qualification. The present tests are altogether insufficient. . . . They should oblige each officer to evince moderate ability, and moderate application. All men are not intended by nature to be soldiers. The sooner incapables find out the mistake of their parents in having put them into the wrong line the better for themselves and for the service. In no army are higher qualifications required. Is it good that one single individual officer should be a laughing-stock to his men? They are nearly fifty to one of us."

Such is the opinion of Sir Henry Lawrence in reference to the pre-existing state of the Indian army. And what, let me ask again, is the remedy

proposed? "There must be a staff corps," says Sir Henry Lawrence, in the same paper; "whatever "may be its inconveniences they will be less than "those which now obtain." Lord Canning expresses a strong opinion not only that the staff employments of India—that is to say, the military, political, and quasi-civil appointments, which are so largely filled in that country by military men, should be open to the Line, but he further urges that officers of the one service should be free to exchange into the other. Long before any question of the amalgamation of the two armies arose it was suggested, as due to the officers of the Line, that the Staff appointments in India should be open to them, and upon that point my noble friend opposite (the Earl of Ellenborough), among others, gave very strong evidence. In answer to questions which were put to him he said:—

"The Queen's officers will, equally with the local officers (not to the same number probably), be entitled to command the irregular native corps."

Then the Noble Earl was asked,—

"Would you throw it open?—Certainly; supposing them to be competent, from a knowledge of the language. I think that everything should be equal with regard to appointments between the two forces. I think it would be very unjust to the Queen's army not to make it so."

He was then asked whether the officers of the Line and those of the local army should be entitled to an equal share of those appointments. His reply was,—

"No, not an equal share in proportion to numbers; that would put an end altogether to my principle. My principle is, that the Governor-General should be at liberty to take the ablest men he could find anywhere; that they should be eligible, but have no rights.

"Lord Stanley.—You do not admit, in short, the right on the part of any set of men to say, 'Here is a certain proportion of these appointments to be set aside for us.'—No; it is contrary to reason."

Now, I venture to suggest, that if Staff appointments in India were to be open to officers of the Line as well as of the local army, without the formation of a Staff Corps, all the members of which should be equally eligible, you would have constant difficulty in considering the respective claims of those two bodies of men, and the Indian Government would be compelled to govern its appointments not solely with reference to individual qualifications, but in a large degree by the necessity of considering the jealousy of rival armies. Sir J. Outram, I may add, is a strong supporter of the establishment of a Staff Corps, to which officers of both armies should be eligible. This measure, then, which certainly is one natural consequence of the proposed amalgamation, is also, as I have now shown, a measure the adoption of which was recommended by some of the most distinguished officers of the late Company long before the present question had arisen.

I now come to what I regard to be the main question in the discussion of the present Bill—will you find officers of the Line willing to qualify themselves for Indian service, and devote themselves

to an Indian career, as Company's officers have hitherto done? This is a question which to some extent may be matter of speculation, but on which there are not wanting both facts and arguments sufficient to lead us to a very safe conclusion. The Noble Earl opposite (Ellenborough), in reply to a question which was put to him on the subject, said,—

"When a regiment is sent there certainly for ten years, or perhaps for a longer period, if an officer felt that by making himself acquainted with the native languages he would have an opportunity of obtaining some civil or political employment, I think that it is contrary to reason that those officers should not in a very great number of cases qualify themselves, because there is no very great difficulty in it."

I find, moreover, that Lord Elphinstone expresses the strongest opinion that there would not be the smallest difficulty in procuring officers of the Line to undergo that peculiar education which would fit them to hold Staff employments in India. On this point I think my noble and gallant friend on the cross benches may be induced to give us the benefit of his long experience, and may be able to inform us whether it is not the fact that numbers of officers of the Line would have been glad, even under the old system, if they had been able to enter the Company's service. Indeed, as the Noble Earl opposite has truly said, it is "contrary to reason" to suppose that it should be otherwise, for there are few advantages in the military service at home at all

equal to those conferred by the appointments in India, which are now to be open to any officer who chooses to qualify himself to hold them. The Indian career holds out the hopes of high emoluments and of opportunities of distinction such as are afforded to few officers of the Line in time of peace, either in this country or in the colonies. Why is it, then, I would ask, that we should not expect officers of the Line to qualify themselves in sufficient numbers for service in India? The fact I believe to be that there are at the present moment upwards of 150 of those officers employed in the discharge of duties which under the old system were almost exclusively confined to officers of the local force. I am moreover given to understand that in anticipation of the passing of this measure a very large number of young men belonging to the Queen's regiments are actually undergoing the process of an Indian education to qualify themselves for Staff appointments in that country. The fears upon this score which some persons entertain, I therefore conceive to be unfounded, or at least very much exaggerated.

I now come to an objection to the Bill on which great stress has been laid by many officers of the Company's service, and that is, the fear of what is called the interference of the Horse Guards. In the presence of the illustrious Duke on the cross benches, this is a point to which I address myself with some embarrassment; the more so, as having frequently

endeavoured to form a distinct conception of the idea which the "Horse Guards" presents to the mind of an Indian officer, I have always come to the conclusion that it is one pretty nearly synonymous with the origin of all evil. But be that as it may, there is nothing in this Bill which increases by one jot the authority that has hitherto been exercised by the Commander-in-Chief over that portion of the army located in India. In support of this opinion I again appeal to the views to which expression has been given by my noble friend opposite, (Lord Ellenborough) who says, in reply to the following question,—

"Q. What do you suppose that the power exercised by the Commander-in-Chief here over that portion of the army which has been located in India has been hitherto?—Nothing whatever. I am not aware of any sort of communication between them. I believe I had occasionally the opportunity of sending to the Horse Guards information with respect to the Queen's regiments with which they were not already provided."

The illustrious Duke on the cross benches will also, I believe, be able to bear his testimony to the fact that he neither intends nor wishes that his authority, so far as relates to the troops in India, should be in any respect altered by the passing of the present measure. The Governor-General of India will, as hitherto, possess supreme military, as well as civil and political power in India, and will be enabled, in conjunction with his own Commander-in-Chief, to confer any employments and commands which he may please on those officers of the Line, who then, as now, may be sent out to that country. This is a

subject on which Mr. Willoughby has expressed a very sensible opinion. He says:—

"Because it is scarcely to be expected that the Horse Guards, overwhelmed with the business of superintending and controlling the Queen's army stationed at home and in the colonies, can, in addition thereto, undertake the administration, in all its branches, of the military forces of an empire so remote and of such magnitude as India."

Certainly not; it is neither to be expected, nor is it to be desired, nor is it intended, nor is it rendered possible by the provisions of this measure. In future, exactly as heretofore, the Horse Guards will send to India such general officers as the Government is desirous of employing in connection with the European army of the Line; but the disposal of commands, as well as the disposition of the troops will rest also, as heretofore, with the local Commander-in-Chief and the Government of India.

I have now only, my Lords, before sitting down, to enter my protest against the criticisms which have been passed on the conduct of the Government, both in Parliament and out of doors, in connexion with the course which they have taken upon this Bill. It has been said, that we have introduced this measure against the opinion and advice of all who could be considered authorities on the subject; and at so late a period of the Session, that it has been impossible for Parliament to pay to its consideration adequate attention. I regret that the measure was brought so late before Parliament, but I trust that fact will at least be received as evidence of the sincere

desire of Her Majesty's Government to examine into the subject with the utmost care. I do not deny that the measure has been considered, not only with care, but with some anxiety by the Government. It was impossible to read declarations from such men as Sir J. Lawrence, Sir J. Outram, and others, that this measure would make an organic change in the system by which India has been won, and by which alone it can be kept, without feeling that it was absolutely necessary to sift the question thoroughly—to look at it in every possible point of view, and to see whether this amalgamation of the two European armies, is really fraught with the danger attributed to it. But I deny that the authorities, great as these undoubtedly are, have been altogether on one side; and I contend that we are entitled to exercise our own judgment, and to bring to the test of reason and of argument, the somewhat rhetorical terms in which Indian officers are accustomed to express themselves on the subject. And when they speak of the "system under which India has been won," I cannot forget, that the main features of that system have had very little to do with the small European army of the Company, and will remain wholly unchanged when that army is united to the Line. One main feature of the "system by which India has been won," has been in no way connected either with the Company or its army; viz., the employment of very eminent English statesmen in the Government of India. I can confidently affirm that

there is nothing in this measure to diminish the inducements which have led the English Government from time to time to send out to India—there to spend and too often to exhaust their powers—some of the very best and wisest of our public men. Neither is there anything which can tend to limit, but on the contrary, much which will tend to enlarge the field, from which young men of enterprise and ambition have been hitherto drawn to the service of India. There is nothing, in short, my Lords, in this measure, so far as we can see, which tends in the remotest degree to withdraw from India any portion of those powers of rule which, in connexion with the Government of that country, notwithstanding many errors, and I am afraid we must confess some crimes, have cast on our national character the lustre of an imperishable renown.

THE END.

GOVERNMENT OF INDIA.

SPEECH

OF

JOHN POLLARD WILLOUGHBY, ESQ.,

(M.P. FOR LEOMINSTER,)

ON THE MOTION OF VISCOUNT PALMERSTON FOR LEAVE TO BRING IN A BILL FOR THE BETTER

GOVERNMENT OF INDIA.

IN THE HOUSE OF COMMONS,

ON THURSDAY, FEBRUARY 18TH, 1858.

EXTRACTED FROM

HANSARD'S "PARLIAMENTARY DEBATES," VOL. CXLVIII.

LONDON:
EDWARD MOXON, DOVER STREET.

MDCCCLVIII.

LONDON:
PRINTED BY CORNELIUS BUCK, AT THE PRINTING OFFICES,
38A NEW BRIDGE STREET, BLACKFRIARS.

SPEECH.

Mr. WILLOUGHBY said, he felt very forcibly his incompetence to do justice to this important subject, and in rising to address the House he was still further embarrassed by finding himself in reluctant opposition to the right hon. Gentleman (Sir C. Wood) who had just sat down. The fact was that, in India, almost all the business of the Government is conducted in writing, and is made matter of record. To this great check he attributed much of the acknowledged purity of intention and beneficence in act, which characterizes the Administration of India. Those who had served in India were in consequence unaccustomed to take part in the debates of public assemblies, more especially of an assembly like that he had now the honour to address. They could seldom make speeches, though they were accustomed to write "Minutes;" and, for himself, he must say that he never rose in that House without feeling that he required their indulgence, and never more so than on the present occasion. Rising so late in the debate, he could not expect to be able to import into it much of originality or novelty, as most of the facts and arguments which he might have employed had been anticipated by preceding speakers. The

first remark he would make was, that he was not wedded to any particular system, or to a name. He could even be content to see the East India Company depart, with all its glorious associations, and all its successive generations of able servants, civil and military, provided a substitute was found from which we might reasonably expect better fruits. Most cordially did he concur in the concluding remark of his right hon. friend the First Lord of the Admiralty, that this was a question into which party politics and party spirit ought not to intrude; and it was on that very account, and because he thought in his heart that this Bill, if adopted, would ultimately destroy the freedom and exemption from the effects of political strife, secured by the existing system of administering the affairs of India, that he gave it his decided opposition. He hoped they would permit him for a moment to recal their attention to the real objects of this debate. They were about to legislate for the most magnificent dependency of the British Crown—an empire in itself, not a colony—"the creation of many minds and many ages;" the value of which could hardly be overrated, and which he had never heard doubted till the other evening in the speech of the Chancellor of the Exchequer. He was inclined to prefer to the view taken by the Chancellor of the Exchequer, the words of the hon. and learned member for Sheffield, that "if we should lose India, we should lose the world." They were about to legislate for an empire (he took his statistics from a Parliamentary Return recently published) with a territory the area of which was computed at 1,456,322 square miles—

larger, in fact, than France, Austria, and Prussia put together; inhabited, according to the latest accounts, by 180,367,148 souls, not of one race, but of many races, all aliens in blood, aliens in language, religion, customs, and manners, not only from ourselves, but from one another; yielding in 1855 a gross and, before this unhappy mutiny broke out, he believed, an improving revenue of £30,817,528, the value of whose exports and imports amounted to £34,965,182, a moiety of which as nearly as possible, or £17,490,587, was exported to, or imported from, the United Kingdom, a trade which, exclusive of the Native craft engaged in the coasting trade, occupied 25,325 vessels of 3,252,256 tons, in which were included 4,728 British vessels of 1,822,157 tons; and burdened only with a debt of not more than two years' revenue. Now, by what means and by what agency was this magnificent empire raised? Notwithstanding the high authority of the Chancellor of the Exchequer, he presumed to assert that that empire was created by the East India Company, and, as was correctly stated in their petition, without the cost of one farthing to the British Exchequer. It was true the Company were assisted by the troops and fleets of England; but let it be remembered that every farthing of the expense was defrayed from the revenues of India; aye, and that, on various occasions in Indian history, the resources of the East India Company were applied for Imperial purposes alone—as, for example, in Egypt, Java, the Mauritius, China, and Persia, and in Affghanistan too, where an expensive war was carried on,

not so much for Indian, as for Imperial purposes. Then let them not touch this noble fabric with rude hands, or without careful and deliberate consideration, preceded by patient and anxious enquiry; for let them remember, that if they once destroyed the power of the East India Company, it never could be resuscitated. His first objection to the Bill had been anticipated by preceding speakers, and more especially by the hon. Member for Huntingdon (Mr. T. Baring), in his eloquent and able speech on Friday last—namely, that it was inopportune in point of time. He believed in his conscience that the most perfect Bill that could be framed at this time, involving changes, such as were introduced into the Bill before the House, would be productive of pernicious consequences. Surely it was not wise, in a time like the present, of great peril abroad and excitement at home, to introduce a measure which they could not hope would receive that calm and dispassionate consideration which should always be given to Indian questions. Surely it was not the part of wisdom, to hang the sword of Damocles over the authorities of India and in England, at a moment like the present, when the sceptre of authority in India seemed passing from our grasp, when all their thoughts, and all their energies should be applied to the preservation and retention of our power in that empire. Disguise it as you may, the Bill if passed will effect a radical change in the constitution of the Government of India, both at home and abroad. The East India Company had always been just, liberal, and generous to their servants; and could Her Majesty's Government think those ser-

vants would be indifferent to the extinction of that authority to which they had hitherto looked up as the guardian of their rights and privileges, and more especially the officers of the Company's army? There was not a more devotedly loyal body of Her Majesty's subjects than the servants of the East India Company; but that was not incompatible or inconsistent with a feeling of regret at the severance of the ties that had so long subsisted between them and the East India Company. His hon. and gallant friend the Member for Reigate (Sir H. Rawlinson) had taken upon himself to represent the wishes of the Company's servants. He (Mr. Willoughby) did not pretend to represent them himself, but his opportunities of learning their feelings were at least as great as those of his hon. and gallant friend, the best part of whose honourable career had been spent in Persia, Turkey, and Affghanistan; and he could truly say that every servant of the Company he had met, whether civil or military, had expressed a feeling of dismay at the proposed change. The Chancellor of the Exchequer had drawn no very flattering picture of the early history of the East India Company; but that had really nothing to do with the present question. When the right hon. gentleman observed that the weakness of a vessel at sea was best tested in a storm, he might have added that that was not a very appropriate time to throw the captain and the pilot overboard. Another objection to this measure, equally strong, was the effect that it would produce on the Natives of India. The Natives of India were not, as some people supposed, either children

or savages. They were an acute, intelligent, and sensitive people, and, above all, apprehensive of change. He was not aware that any desire for change had been expressed by the Natives of India. In fact, the only petition for a change that he had heard of, came from a section of the Anglo-Indian community at Calcutta, and was caused by Lord Canning and his Council having refused to adopt a policy of indiscriminate vengeance, which, if adopted, would have converted this military revolt into a national revolt. The natives of India knew, that so recently as 1853 both Houses of Parliament, after a full and careful enquiry, reported favourably of the then existing system of administering the affairs of India, and that with a few important modifications (which now turn out to be the thin end of the wedge) that system was continued under a Bill brought in by the right hon. Sir C. Wood, Lord John Russell, and the right hon. Sir James Graham. They knew also, that Her Majesty, on the 20th August, 1853, in a speech from the Throne, expressed her persuasion "that it would prove to have been wisely framed, and that it was calculated to promote the improvement and welfare of her Eastern dominions." They knew that the Act of 1853 had not had a fair trial, and, in fact, had scarcely been put into operation. They would, at the same time, say, that at no former period of the Company's Raj was so much vigour and activity exhibited in promoting the moral and physical improvement of the people of India, or in taking care of their interests, when these efforts were unhappily arrested by this calamitous military revolt. When

to this they added, that the Government of 1853, was partly composed of the same elements as in 1858, they would naturally ask why what was considered wisdom in 1853, should be considered folly in 1858? They would, notwithstanding all the fine speeches and assurances, that no fault or delinquency is charged against the East India Company, couple together the existence of the mutiny, and the extinction of the authority of the East India Company, and guided by the public press, by orations from the pulpit and the platform, and by other indications—they would imbibe the impression, however erroneous, that they were to be the subjects of a change of policy—of a change of that policy which had been pursued by eminent men like Malcolm, Elphinstone, and Munro—that an intention existed of introducing a system antagonistic to all their most cherished privileges and feelings; and he warned the House that if once such an impression obtained hold of the native mind, the effect would be more disastrous than the greased cartridges had been on the mind of the Sepoys; for it did not matter much whether a belief was true or false, provided it was seriously entertained. It was said the double Government was slow, cumbrous, anomalous, and irresponsible. The hon. Member for Reigate (Sir H. Rawlinson) had given an amusing account of the process which a despatch concocted in Leadenhall Street underwent before it was finally sent out to India; but his picture was greatly overdrawn, and by enumerating the stages which a despatch might go through, rather than those it did go through ordinarily,

he had stated the exception and not the general rule. On the other hand, the Vice President of the Board of Trade sought to show that all the business of India was transacted in Cannon Row; but any gentleman practically acquainted with the duties devolving on the Court of Directors on the one hand, and on the President of the Board of Control on the other, would know how exaggerated and erroneous such a statement was, the initiative, save in questions relating to peace and war, being vested in the Court. Again, the Vice-President of the Board of Trade would lead the House to suppose that it was the duty of the "Chairs" to go up weekly to Cannon Row and obtain the instructions of the Board of Control. Whatever might have been the custom when the right hon. Gentleman held office at the Board of Control, he (Mr. Willoughby) could only say that the weekly visit of the "Chairs" had for its object to discuss matters of importance and to smooth over difficulties; but, as for all the business of India, and the correspondence with India, with all the voluminous "Collections" appertaining thereto, being disposed of by the Board of Control, it was obviously impossible. With regard to the alleged anomaly, he (Mr. Willoughby) admitted the anomaly; but, was that a reason for abolishing a long-established system like the Government of India? Is the anomaly unattended with no compensating advantages? Are the checks it imposes against rash innovations, crude legislation, precipitant disregard of the rights and privileges of the Natives of India; and the security it affords for a careful consideration of the

numerous appeals received from all classes in India, and on other points affecting the welfare of India, to be regarded as nothing? True, it is an anomaly; but, is it the only existing anomaly? Was not our own glorious constitution itself, with its triple Government, under which we enjoyed all our liberty, an anomaly? Was not our representative system an anomaly? What was one of our most cherished institutions—trial by jury—but an anomaly, seeing that one juryman might, by superior physical endurance, hold the remaining eleven in check from coming to a decision? What else were the Horse Guards and the War Office? Above all, was not the very possession of India itself the greatest anomaly? The fact was, the duty of the Home Government was more deliberative than executive, and India, to be governed well, must be governed *in* India. For that end it was necessary to intrust vast and almost despotic powers to the hands of the Governor-General, and the local authorities in India acting under him. But, in consequence of that necessity, there was the greater necessity for their acts and proceedings being scrutinised and revised by some intermediate and independent body, not in a spirit of captious objection, but of liberal and generous consideration, and a due appreciation of all the difficulties with which they had to contend. He maintained that that duty had been hitherto most efficiently performed by the East India Company, under the control and authority, of course, in the last resort of the Board of Control, always excepting, that the Court of Directors had nothing

to do with the proceedings of the Secret Committee. On questions of peace and war conducted in the Secret Department, the interference of the Court is interdicted by *law*, and therefore as regards these they are free from responsibility. With regard to the alleged irresponsibility under the present system, he had been anticipated in replying to that charge by the hon. and learned Member for Enniskillen (Mr. Whiteside), who, with that view, quoted a very lucid passage from the speech of the First Lord of the Admiralty, when introducing the bill of 1853, which he (Mr. Willoughby) need not again trouble the House by reading.* But it was now said, that greater

* The following is the passage from Sir C. Wood's speech here referred to:—

"The home business of the Government of India may be divided into two parts. One comprises the political relations of the Government of India with other states, and questions of peace and war. These questions are decided not by the Court of Directors, but by the Government of this country, and their orders are sent through the Secret Committee of the India House; and for these decisions, not the Court of Directors, but the Government of this country, is entirely and altogether responsible. Upon that point there can be no question as to divided responsibility, or anything of the kind. The Secret Committee merely acts as an organ to convey to India the directions sent from the Board of Control, and the President of the Board of Control is in that respect only the organ of the general Government." Alluding to Lord Broughton's declaration, that he alone was responsible for the Affghan war, Sir C. Wood observes:—"There is no mistake, no concealment about the matter, and it is nonsense to talk of the irresponsible power of the President of the Board of Control, because the Government of this country is as responsible for war in India as it is responsible for war in Europe, Africa, or America."

"The other great branch of the Government is what is called the ordinary business of the administration of India, and in that the Directors take a very considerable and important part. Every despatch is addressed to them; all questions are considered by them in the first instance; and they have the initiative on every question. Grants of money cannot originate in any way with the Board of Control, and in the exercise of patronage, except in some of the higher appointments, the Directors are entirely uncontrolled. In the greater portion of their business, however, they are liable to the check and supervision of the Board of Control. A draft of every despatch

responsibility would be exacted under the new form of Government proposed—namely, a Minister of the Crown, assisted by a Council appointed by the Crown, and subjected to the control of Parliament. He was far from desiring to give any—the least—offence to the House, but he thought, with all due deference, that that House would not, could not, and ought not, to attempt to exercise the control over the proceedings connected with the government of India which was now exercised by the East India Company. They might depend upon it that, as soon as the present excitement subsided, that House, generally speaking, would relapse into the same indifference which it almost invariably showed with regard to questions relating to India. When the present crisis passed away, India would again become the "dinner-bell" of the House; for, as Lord Macaulay once truly said, a turnpike Bill, or a riot in Covent Garden, always

is sent up to the President of the Board of Control, is considered and revised by him, is sent back to them; is submitted to a Committee at the India House, and then to the Court, and is then carefully revised; and it is only just to the Directors that I should say, as far as my experience goes, I have reason to know that the most careful attention has been given by them to every important despatch. It is quite true that the President of the Board of Control has the power of overruling, in the last resort, the Court of Directors. I therefore fully admit I am responsible to this House for any acts in the administration of India, just as the Secretary of State for the Colonies is responsible for the acts of administration connected with his department. Honourable gentlemen seem to treat this question in a very singular manner; for at one time we are told it is impossible to say that the Court of Directors can be responsible, and at another time it is impossible to say they are not responsible; and, again, that they cannot find out who are responsible for the Government of India. The simple state of the case is, that the President of the Board of Control is the person responsible to Parliament for the Government of India. But this is nothing new; Lord Grenville stated the same fact in 1813."—*Hansard's Parliamentary Debates*, Vol. V., 1853, p. 1137.

commanded more attention in Parliament than the most important question connected with India. His hon. friend, the Member for Devonport (Sir E. Perry) had already anticipated that spirit of indifference, for, in the speech he addressed to the House on the question under discussion, he urged them to strike now, and so accomplish the object they had in view, "for it was only in times of emergency that the time of Parliament and the attention of the country could be directed to Indian questions." Then he (Mr. Willoughby) said the House could not exercise the control which the Government expected it would do. He did not mean, of course, that a great question connected with India, exciting general interest, might not command the attention of the House, and be fairly and deliberately debated. He alluded to the questions which ordinarily came under discussion before the Court of Directors. In the first place, the Members of the House, generally speaking, did not possess the necessary information; secondly, it could not spare time to do so from the consideration of domestic politics and concerns of this country; and for those reasons they ought not to make the attempt. The fact was, that, according to his small experience, responsibility to Parliament simply meant, that when a minister was strong, and backed by a strong party, he was unaccountable; when weak, he was assailed with party violence, and often compelled to do what was wrong, or blamed for doing what was right. But, in the words of the historian:—

"It was acknowledged that it was of vital importance to the prosperity and preservation of India that it should be subjected to an intermediate governing body, unconnected with party politics or Parliamentary divisions, and independent of the changes of Ministry in England; one that should look to the government of India as its sole interest and obligation, and should not be liable to be diverted from its one great duty by the manifold objects which, whether of European or purely British origin, whether of great or trivial magnitude, must ever render Indian interests of secondary weight with a British Administration."*

It was true that in some cases this barrier against party influences and Parliamentary conflicts—this breakwater—had been broken through, to the discredit of the nation; but these exceptions undeniably proved the value of the check thus wisely interposed by the wisdom of preceding Parliaments. He might mention as instances of that, the celebrated case of the Lucknow bankers, and that of the Nozid Zemeendar, of which, in allusion to the Parliamentary influence successfully exerted, Lord Brougham observed,—

"Unless some such agency was at work, nothing could be found to sanction the extraordinary interference of the Legislature to pass an Act in favour of a claim contaminated in its origin and illegal in its prosecution."

Another case which occurred in 1832, was that of Mr. Hutchinson, an officer of the Company, who, contrary to the regulations of the service, had engaged in pecuniary transactions with the Rajah of Travancore. He presented a Bill to that House; it passed through several stages, but was ultimately thrown out through the opposition of the Court of Directors, aided by the transcendent ability of Mr. Macaulay, then Secretary to the Board of Control. So with the case of the so-called Nawab of Surat. He did not intend to go into the merits of that case; but when it was discussed in that House, a tolerably large

* Wilson's British India, vol. 3, p. 506.

attendance was obtained through means of an active canvass, or of the process designated in America by the term "lobbying," although, a few days afterwards, the President of the Board of Control delivered his budget to nearly empty benches. So much importance attached to this point, that he must be permitted to read the evidence of a very competent authority, Sir Charles Trevelyan. Sir Charles was one of the ablest officers of Her Majesty's Government, but one whom India claimed as her own, because it was there that he had received his first lessons in statesmanship, and who therefore looked upon the question from an Indian as well as an English point of view. The following was the evidence he gave before the India Committee of 1853, with reference to the Court of Directors as the chief Governing body for India, in contrast to the Home Government:—

"It is most essential that the governing body in India and England shall not be subject to party influences. This object also has been satisfactorily attained:—there is an entire absence of party feeling in India; everything is decided on its own merits. Whatever faults the Court of Proprietors may have, it has furnished an independent basis for the Government of India. Deriving their power from a separate source, the Directors have not been influenced by political changes. They are taken from the best and most substantial portion of the middle class; they have the English element without any objectionable admixture of English party spirit. It is not the practice for them to take office under the Queen's Government; it is eminently a Government of the middle classes, and of the best portion of them. Their independence, also, in a secondary degree, rests upon their local position in the City of London, instead of their being at Westminster, and also upon their number being considerable. I consider that there would be very great danger in putting the Government of India immediately under the Government of England."

He then designated as the fatal detriment of the House of Commons—

"The evil principle which is known under many forms and names, party-patronage, favouritism, jobbing."

He thus adverted to the action of this evil principle :—

"The Executive Government depends for its political existence and success upon the House of Commons. Each individual Member of the House of Commons depends for political existence and success upon his constituents. Even in ordinary times the Executive Government and individual Members of Parliament find it difficult to refuse favours which it is in their power to grant, however strong the reasons may be against granting them; and when parties are evenly balanced, or great questions have to be carried, or a Government has to be maintained in power, or an Opposition has to be lifted into place, things are done in this country, in the face of our active public opinion, and free press, and freedom of exposure in Parliament, which show how much greater the evil would be if India were brought within the direct action of our party politics."

He had several other great authorities on the same subject, but he thought that would be quite sufficient. It was true that the noble Lord at the head of the Government had spoken lightly of these great dangers in introducing his measure, but he (Mr. Willoughby) confessed he was disposed to agree with the opinion expressed by one of the ablest of the servants of the Company, the late Sir Charles Metcalfe, who, though an "old Indian," one of that class which the hon. and learned member for Sheffield (Mr. Roebuck) considered perfectly incompetent to have any share in administering the affairs of India, had stated it to be his conviction that if ever our empire in the East received its death blow it would be in the House of Commons. Upon the next subject to which he would take the liberty of referring, that of patronage, he was very sensitive, perhaps Utopian. He had always been of opinion that no greater trust could be confided to man, or one involving more responsibilities, than that of selecting fit and proper persons to fill offices of high trust and responsibility. That trust, in his (Mr. Willoughby's) opinion, is not sufficiently fulfilled by

selecting one who is merely qualified; but the most competent man available should be selected. That opinion, no doubt, had been imbibed in India, where patronage was, for the most part, exercised for the good of the public service alone. It was his good fortune about twenty years ago to be associated in high official position in India with one of the best, ablest, and most conscientious men he ever met with—the late Sir Robert Grant. Upon one occasion he was consulted by Sir Robert regarding an appointment of great importance. He sent to the Governor a list of the names of those whom he (Mr. Willoughby) thought had any pretensions to the appointment, and in giving his opinion in favour of one, he enclosed an extract on patronage from a book called "The Original," written by a well-known police magistrate in this metropolis. He marked the passage then, and little thought at that time he should ever have occasion to use it in the House of Commons. In the chapter, entitled "Preferment in Places," Mr. Walker said:—

"I have often wondered, both in reading history and in observing my own times, that there are so few examples of the worthy employment of patronage. It might be supposed the glory and influence that would result from it to men in high place would have made that the rule which unfortunately for mankind is but the exception. It is marvellous that the feeling of responsibility, that the consciousness of the destiny of millions being in their hands, that the love of the approbation of the wise and good, do not outweigh in the minds of Kings and Ministers all lesser considerations. Nothing would so effectually excite honourable ambition as the conviction that the road to preferment lay open to merit alone, and that every place would be bestowed, without other consideration, upon the person most fitted to fill it. All patronage is a trust; and bestowing preferment unworthily is a violation of a trust, and the greater the unworthiness the greater the violation. It is not enough to prefer those who are fit; the choice should fall upon the most fit. It is not enough to choose from those who apply; the most meritorious should be sought out, and the preferment

offered to them, not as matter of favour and obligation, but as something required to be accepted from a sense of public duty.

"It is true these are not the doctrines generally received; if they were patronage would not so openly be made an instrument for creating undue influence or upholding party, nor would the public service be so often sacrificed for the sake of making provision for relations, friends, and dependents—a system which, strange to say, has many advocates amongst those who think rightly on other points. In my opinion, there is nothing more deserving of reprobation in public men than abuse of patronage, because I think there is nothing more detrimental to the public welfare. It not only discourages existing merit, but it encourages importunity, intrigue, servility, profligacy of principle, and many other base qualities which spread their pestiferous influences over society. It enables men in power to maintain themselves by other supports than that of public opinion, and surrounds them by a phalanx of hangers-on who effectually deter the meritorious from making their approach."

He had read that passage, in order to state that, according to his own experience, the patronage of India was distributed upon the principles laid down by Mr. Walker to a greater extent than in any quarter of the globe. He did not pretend to say that interest and influence had not sometimes their weight in India, as everywhere else, nor did he wish to be understood as referring to the ordinary routine appointments in the service, which must pass to a class of persons specially trained up to fill them; but his remarks were applicable, in all their force, to what were known as "selected appointments," large in number, and open both to civil and military officers. These appointments involved the greatest responsibility: and in the exploits of the noble men who had lately brought themselves under the public notice, we were reaping the fruits of the system by which the most important offices in India were given to those best qualified to fill them. He could venture to assert that, in these cases, merit and qualification for the most part secured the appoint-

ment; and in this manner some of the most distinguished servants of the East India Company obtained their first introduction into the public service. A very salutary check existed even with respect to the ordinary appointments. The Governor, of course, had the initiative, and may even overrule his Council; the latter, however, have the power, on good and sufficient grounds, to object, and finally to record their dissent—the proceedings in such cases being reported to the Home authorities, which constituted another great check against the abuse of patronage. He had frequently exercised this privilege, sometimes on merits, but oftener on the ground of infraction of some rule or regulation—such, for instance, as not having passed in the languages, withdrawing more than the prescribed number of officers from the same regiment. The Governor was checked by his Council; and it was one of the objections of the present Bill that it proposed to do away with that arrangement. An "old Indian" like himself could not be expected to look favourably upon a measure which substituted for the existing system the one which prevailed in this country. Here each Government distributed its patronage among its own friends and supporters. Under a Whig Administration the stream flowed in a Whig direction, and under a Conservative Government in a Conservative direction. Nor was the apprehended evil a light one. It was a great mistake to suppose that the patronage involved in the proposed change amounted to only a few cadetships. There was, besides, naval, legal, educational, and other patronage, and it was elicited

in the course of the evidence taken before the Committee of 1853, that those appointments were at present made in an unobjectionable manner. The initiative devolved upon the Chairman for the time being, but his nominations must be confirmed—they were often canvassed and sometimes put aside—by the Court of Directors.* He understood it to be the intention of the Government to keep the Native army distinct, but to amalgamate the Company's European troops with the Royal forces. He

* The following is extracted from the evidence obtained by the Lord's and Common's Committees in 1853, respecting the patronage then vested in the Court of Directors of the East India Company:—

"The Court has the absolute right of making the first appointments in all cases to the various services, civil, military, medical, and naval. The number of appointments for the year being ascertained, is divided into twenty-eight parts; two of these go to the Chairman, two to the Deputy-Chairman, one to each of the other twenty-two Directors actually in office (six being out by rotation), and two to the President of the Indian Board. Chaplains also are appointed by the Court, the nominations being taken in rotation. The Court has also the power of appointing general officers on the staff for the Company's Army, the Superintendent of the Indian Navy, the Master Attendant in Bengal and at Madras, and volunteers for the pilot service; Assay Masters for the Mint; the Law Officers of the Government at each of the Presidencies, and the Members of Council, as well that of India, as those of Madras and Bombay, with the exception of the fourth or legislative Member of the Council of India, whose appointment is subject to the approbation of the Crown. Beyond these, the Court is precluded from interfering with appointments in India, except in cases in which the Board concurring, it may be deemed necessary. If injustice be done in India, an appeal to the Court is open to the aggrieved. To the appointments above-mentioned the Chairman of the day nominates, subject to the confirmation of the Court, and his recommendation is occasionally overruled. In case of the dismissal of any officer by the Indian Government, the Court may, with the concurrence of the Board, reinstate him, and this power is occasionally, but not frequently, exercised. Subject to the approval of the Crown, the Court has further the power of appointing the Governor-General, the Governor of the subordinate Presidencies, and the Commanders-in-Chief. Finally, the Court has the power of recalling or removing any of the officers or servants of the Company, unless in a few exceptional cases appointed by the Crown, on default of the Court, and this power is absolute and uncontrolled.

thought that would be found a more difficult arrangement than seemed to be anticipated. This, however, would at once transfer to the Horse Guards 17,596 men, and 1,531 officers—a very serious matter as regarded the distribution of patronage. But his greatest apprehension related to the patronage in India, a matter which had been touched upon by the hon. and gallant Member for Aberdeen (Colonel Sykes). The Government, no doubt, believed the Bill to be a good measure, and it would be unfair to them to suppose that it was not introduced by them under that supposition. If it was in their power, he believed they would be glad to be relieved of the patronage question altogether; but that was impossible. It was the duty of a wise Parliament to foresee and to guard against possible danger. Suppose the case of a weak Minister, who had not the power or the strength to resist, or, what would be worse, an unscrupulous Minister, who was courageous enough to appropriate, and avail himself of the vast power conferred by Indian patronage? It is not exaggeration to say, that giving to the Imperial Minister the Indian patronage would enable him to convert the Treasury bench into a freehold.* Just let the House consider how the Bill proposed prepares and paves the way for such a Minister. The Minister is to appoint the Governor-General and

* "My own opinion is, that nothing would be more dangerous than to give the Crown the whole control of the thousands upon thousands of the population in that part of the British dominions."—Speech of Lord John Russell, India Debate, 1853.

the Governors of Presidencies; and the Governor-General and the Governors are to appoint their own Councils. And then what check would there be in such a case? The check at present was, that in case of any wrong appointment, or any deviation from the regulations, it very rarely escapes the scrutinizing eyes of the Court of Directors, and, although detection might be late, it was certain to be brought under their notice, when often the objectionable act was undone, or, if not, a censure was passed which prevented a repetition of it. The Bill interposed no check at all. He was bold enough to say that it would not be in the power of Parliament to apply any check. The hon. and gallant Member had also anticipated him on another point—he alluded to the amount of patronage to be disposed of. Let it not be supposed that there was not a wide field open for a vast amount of patronage. There were the whole covenanted and military services, all the staff appointments, most of which were by selection: but, above all, to keep within the mark, there were hundreds—his hon. Friend had said many thousands—in which latter calculation were included all the subordinate appointments held by Natives, and in saying many hundreds, he (Mr. Willoughby) only included those that were held, or likely to be held, by Europeans—hundreds of appointments that would come within the range of the patronage of the British Government. There were the deputy magistrates, the deputy

police magistrates, and magistrates at the different Presidencies, the survey officers, the legal officers, and an immense number of miscellaneous appointments too numerous to recapitulate. It might be said, in reply to this, that even under the present system the Government influence was felt in regard to appointments in India. In the course of a long official career in India he had known instances of Downing Street influence in India, but they were rare, and the check of the Court of Directors was useful in resisting them; and even supposing there was a desire in a Minister to ask the Governor-General to serve his friends, under existing checks it would be detected and disapproved of. Under the present system the Governor-General was, to all intents and purposes, a servant of the East India Company. He (Mr. Willoughby) had the misfortune to differ from the hon. and gallant Member for Reigate (Sir H. Rawlinson), upon many points, but there were some in which he entirely concurred. The hon. and gallant Gentleman had lately had to undergo the ordeal of an electioneering canvass, in the course of which he had been called upon to state to his constituents his opinions upon different matters. In one of those addresses the hon. and gallant Member referred to the danger of Parliamentary action upon the welfare of India, although it appeared now, that notwithstanding his opinions upon that point, he intended to support the Government measure. The hon. and gallant Member, in

another of his addresses to his present constituents, said—

"The object of the Directors was to improve India for the benefit of England, and if that object could be better obtained by the Crown, then, in God's name, let the Crown have it."

To which he (Mr. Willoughby) cried Amen! If he thought that the transfer of the Government to the Crown would benefit India, he would say, abolish the Court of Directors at once—

"But he doubted very much if the people of England had as yet begun to realize the importance of the step which was about to be proposed. He doubted if the taxpayers of England were aware that in taking that liability upon them they took upon themselves the liability of £100,000,000 sterling. There would be a difficulty, too, in transferring East Indian establishments to the Crown, because they were on a different system. But the great danger was from the increase it would give to the power of the Crown, a point upon which Englishmen were ever most jealous. When the Bill was proposed in the last century it was opposed entirely on the consideration that it was of the utmost danger to place an overwhelming influence in the hands of the Crown. He was quite ready to admit that means must be devised for preventing that evil, and for throwing open the patronage to the country at large; and, in that case, he would go hand in hand with the Government in carrying through the measure. It had been said that it would make no difference to the people at large whether the Crown or the Company had the patronage, because the military services would be recruited from the ranks of the middle classes as they were at present. That was the opinion stated in an article of the *Times*—an article intended to support the Government measure, but it omitted a most important question. The hard-working people would no doubt be of the middle class; but the sugar-plums would be reserved for the upper class. The great benefit of the present system was, that after a man entered the Indian service he arrived gradually at the top; but in the other system he might work for twenty or twenty-five years, and then have the sugar-plum taken from his mouth, and put into that of some titled favourite of the Horse Guards."

Upon another occasion something like the same sentiments had been expressed by the hon. and gallant member. In a speech he had made in the Court of Proprietors, he said:—

"If selection, indeed, should be substituted for seniority in the higher

grades and commands, and if the nomination were to rest with the authorities at home, I should apprehend that the rank and file of the army, the hard-working men who had done subaltern's and captain's regimental duty in the country, would be generally superseded by nominees from England, and that the *morale* of the army would thus seriously suffer. This is of course an evil to be guarded against, but it is not one of paramount importance or of constitutional danger!"

There were many other topics upon which he (Mr. Willoughby) wished to make some remarks, but the present was perhaps not the fittest occasion for them, and he had already trespassed at too great a length on the attention of the House. He should, therefore, confine himself to stating a few of the objections which he felt respecting the Bill itself. He was quite certain from his own experience of the quantity of work to be done, that a Council of eight would never be able to do it. It would be physically impossible. He did not pretend to say that, if the work were to be slurred over, or done in a superficial manner, eight, or even two or three would not be enough, but to do it in the careful manner it had hitherto been done would require a Council of more than eight. The old system of governing India might appear to be somewhat cumbrous. The correspondence from India might appear to be unnecessarily voluminous, and he did not pledge himself that in some details improvement and simplification might not be introduced; yet if they were to abolish the long existing system to which was attributable much of the efficiency of Indian government, which required that records of all transactions should be sent home, they would at the same time remove

all checks upon malversation.* With respect to the Court of Proprietors he regretted that it was intended to abolish it. He remembered, when in India, reading debates in that Court which were of great value and importance to India. It was true that lately the debates had fallen off in value, but it did not follow that therefore they should destroy a constituency which he considered to be a useful safety-valve—a means of ventilating Indian questions before an audience who would pay attention to them. He did not mean to say that the Court should not be reconstituted, and the anomaly of giving votes to ladies removed, yet he would maintain it in a remodelled and improved

* The following, extracted from the evidence obtained by the Committees of 1853, will give some idea of the increase of business which had then taken place; and, since 1853, I believe it will be found that there has been a still further increase.

In 1834 the number of despatches from India was 778; in 1851 it was 2,090; in 1834 the number of despatches to India was 667; in 1851 it was 1,012; in 1834 the number of miscellaneous letters addressed to persons in this country was 2,850; in 1851 it was 4,500.

A despatch may be received containing sixty, or a hundred, or two hundred cases; and the despatch, in itself voluminous, is rendered more so by *collections* attached to it, containing copies of all former correspondence on the subject or subjects of all letters written thereon by various local officers, and all papers relating thereto. There has not long since been in the Revenue Department a despatch with 16,263 pages of collections. In 1845 there was one in the same department with 46,000 pages, and it was stated that Mr. Canning some years since in the House of Commons mentioned a military despatch to which were attached 13,511 pages of collections. To illustrate the increase of business, a statement was put in, showing the number of despatches received from the different Governments of India in 1830 to have been 602, while in 1849 they were 2,445. Previous communications submitted to the Board in 1830 were 173; in 1849 they were 404—drafts of despatches laid before the Board in 1830 amounted to 617; in 1849 they had increased to 909; in 1830 the collections of papers appended to the previous communications or to the drafts were, in number, 1,440; in 1849 they were 5,720—the number of pages in those collections in 1830 were 103,710; in 1849 the pages were 212,075.

shape.* The Bill proposed that the Governor-General should appoint his own Council. This he thought wrong. At present the Council were appointed by the Court of Directors to assist and advise the Governor-General, and certainly from the mode in which Governors-General and Governors were sent out, it was necessary that they should have persons of local experience to advise them. He did not mean to make that statement offensively, for, taking all things into consideration, he believed that the Governors-General, and Governors of Presidencies sent out from this country, had been, for the most part, able and distinguished men. He was speaking of their Indian experience. The Council were not only advisers but they were checks. At present the Council acted as a check upon the commission of any job by the Governor-General or the Governors of Presidencies, but if the Governor-General is to select his own Council, that check would be gone. He would not say he had not seen some jobs attempted. In the course of the debates, many erroneous statements had been made with regard to the Directors, to some of which he would now refer. The honourable and learned Member for the Tower Hamlets (Mr. Ayrton) had done injustice to the Court of Directors in respect to the question

* A recent Parliamentary return shows that there are 5,782 proprietors of East India Stock, of whom 4,750 are males, and 1,032 females. The proportion who hold £1,000 and upwards, and who are, therefore, qualified to vote, are 1,255 males and 408 females.

of patronage, for although what he had said was technically right, it was substantially wrong. The hon. and learned Member said that the Court of Directors, in its corporate capacity, never gave appointments to the sons of officers who were killed in action, or had died in the service. There was no patronage at all in the disposal of the Court in their corporate capacity; but the papers which had been recently laid before the House showed how patronage had been distributed, and would certainly refute the charge. If the hon. and learned Member was not satisfied with that statement, let him call for a return extending over a certain number of years—say five years—showing the donor, the receiver, and in another column at whose recommendation the patronage was given, which would be the most important as testing what influence prevailed; and he was satisfied that such a return would be most favourable as respected the mode in which the patronage was dispensed. He did not think he need answer the hon. and learned Gentleman's remarks about the last farthing being exacted from the ryots, or the charge that the Natives were reduced to the necessity of eating dirt: and he fancied the hon. and learned Member, when making such observations, must have had in his mind the Oriental expression of "eating dirt." The hon. and learned Member for Devonport (Sir E. Perry) drew a glowing comparison between the Government of India and that

of Ceylon, favourable to the latter. The two did not very well admit of a comparison, but if it were made it would be found favourable to India. A similar comparison had been made by the hon. Member for Poole (Mr. Danby Seymour), the Secretary to the Board of Control, though the hon. Member did not seem well versed in the history of Ceylon, or had not refreshed his memory lately. If he had looked to the evidence taken by the Select Committee in Ceylon in 1850, he would have found that in that island there was an open rebellion in 1817, 1823, and 1848, and three conspiracies, independent of other circumstances of a threatening nature, were detected before they exploded in 1820, 1824, and 1843, and there had been plots in several other years. In a temperate and dignified letter to the Secretary of the Colonies, what did Viscount Torrington say of the state of Ceylon in 1847? The noble Lord stated—

"It is necessary to remind you of the state in which I found Ceylon on my assumption of the Government in 1847, its treasury nearly empty, its current expenditure largely in excess of its annual income; its commerce declining; the cultivation of its staple products, coffee and cinnamon, suddenly arrested and discouraged, and its general condition leading rapidly to bankruptcy."

He, however, was ready to acknowledge that, since 1847, the condition of Ceylon had improved wonderfully; but, he must add, that it was to the credit of the East India Company that it was so, for a large portion of the improvement was due to an Indian official, the late Sir G. Anderson. He was much inclined to notice some of the many fallacies

which were entertained with respect to India. He had read with great interest the numerous speeches made on the subject by Members of Parliament and others, and observing the great amount, he would not say of ignorance, for that was a strong term, but of want of information exhibited, he was not surprised that the East India Company were described as tyrants and oppressors. The hon. Member for Salford (Mr. Massey), in an address to his constituents, stated that Bhuddism and Christianity could not stand together. Now, Bhuddism was the religion of Ceylon, but it was not the religion of India. Then the hon. Member advocated the principle of toleration, but immediately afterwards explained that he meant toleration between different sects of Christians, but that toleration of Hindoos and Mahommedans was entirely out of the question. Now, if India was to be governed on that principle, it would not be worth six months' purchase.* The hon. Member for

* "The causes of that rebellion must be ascertained through a long and painful investigation. He was going to make a proposition which would perhaps startle: he believed that toleration of their faith—the superstition which they called religion—by the British Government had been in a main degree instrumental, had had the effect of retarding the ascendancy of the British name, and preventing the salutary growth of Christianity. But they must not misunderstand him. Toleration was the great corner-stone of the religious liberties of this country; but don't let them abuse that precious word—toleration. As he understood it, it meant the complete liberty to all, freedom of worship among Christians who worshipped upon the same foundation. It meant toleration of all sects and denominations of Christians who believed in one mediation; but, to apply the word toleration to a people who worshipped miserable and blood-stained idols, whose religion was founded on principles shocking to humanity and disgraceful to human nature—to say that toleration was to be extended to such superstitions was, in his opinion, a great abuse of the term. (Hear.)

Dover (Mr. B. Osborne) told his constituents that the Company had swept away the Hindoo custom of adoption, and he went on to add, that it was alleged the miscreant Nana Sahib had been impelled to all his atrocities in consequence of the great wrong inflicted on him in reference to this question of adoption.* Great ignorance prevailed in this country on this subject of adoption. Nana Sahib's adoption was never interfered with. By his own account, he inherited £280,000 from his adopted father; but, in reality, nearer £500,000. What he wanted was, that Government should continue to pay him the pension which had been granted to his adopted father for life; that, of course, was refused by the East India Company. Now, he (Mr. Willoughby) had read a letter dated the 13th June, 1818, from Sir J. Malcolm, reporting that the pension was given to the adopted father of Nana Sahib only for life. Was it possible, then, for the British Government to confer this pension of £80,000 a-year on Nana Sahib? However, Nana

His belief was, that Christianity and Bhuddism could not flourish in the same soil; where the one flourished, the other must perish," &c., &c.—Speech at the Town Hall, Salford, as reported in the *Times*, 14th November, 1857.

* "Another custom which the East India Company swept away was that of adoption, and it is said that the atrocities of that miscreant of miscreants, Nana Sahib, were prompted by personal resentment for the loss he suffered under the operation of this change. He was left the adopted heir of the Paishwa, but the Company stept in and deprived him of the pension he claimed, as inheriting from that prince. The Company left the rascal guns and an embattled fortress, and these very guns he used against our unfortunate countrymen at Cawnpore. If they did the thing at all, they ought to have done it thoroughly."—Speech as reported in the *Times*, 26th September, 1857.

Sahib sent over to this country Azimullah Khan, and some hon. Members might possibly have seen that worthy, for he had resided two years in this country, and was admitted, it appeared, to the highest circles in London and Brighton. That agent of Nana Sahib spent £30,000 or £40,000 in this country, and this circumstance showed the evil connected with the agitation of Indian questions in that House. Azimullah is not the only instance of emissaries deputed to England. After spending so much money in England, he went back to India, having found out that, in this country, people did not administer justice for money. Having thrown away so much money, he was inflamed against England; and again became the infamous councillor of the still more infamous Nana Sahib, and it was he who was sent to negotiate with the gallant but unfortunate Sir H. Wheeler the terms of capitulation, and who instigated Nana Sahib to the treacherous murder of the garrison of Cawnpore. He was a specimen of the men sent over to England to prosecute unfounded claims.* With regard to the law

* These facts are taken from a "A Brief Account, by Mr. Shepherd, of the Outbreak at Cawnpore, and the Disasters which resulted therefrom to the Christian Community of the Station," published by Parliament, No. IV.; p. 173, of Papers relating to the Mutinies in the East Indies:—

"The following day (25th June) was fixed by the general for an interview with any person whom the Nana might appoint to arrange matters and accordingly at about noon, a man, by the name of Azimoollah, with a few of the ringleaders, sowars of the 2nd Light Cavalry, came to the camp, and were received by the General in one of the unfinished barracks outside the entrenchment. Azimoollah, who could read and write English, attempted to open the conversation in that language, but was prevented from doing

of adoption, he contended that the British Government never interfered with or violated it. Had they done so, they would have acted in opposition to repeated Acts of Parliament, which declared that the laws and customs of the inhabitants of India were to be attended to.* The right

so by the sowars. It was agreed, upon the part of our General, that all the Government money, the magazine in the entrenchment, with the guns (two only of which were in serviceable order, the rest having been injured and rendered useless by the enemy's cannon) be made over to the Nena; and in return the Nena should provide tonnage, and permit every individual in the entrenchment to proceed to Allahabad unmolested. This agreement was drawn up in writing, signed, sealed, and ratified by a solemn oath by the Nena. All hostile proceedings were stopped on both sides from the evening of the 24th."

Then follows a thrilling account of the perfidious violation of the agreement, by the massacre of the defenceless garrison of Cawnpore, and the subsequent proceedings of Nana Sahib. "Fresh corps were being raised, and recruits daily entertained. A new horse battery was formed. The Zemindars all around were directed to bring in the revenue due by them. New offices were created, and bestowed daily upon favourites. The Ganges Canal (built with so much trouble, and at so great a cost to Government) was bestowed upon the villain Azimoollah, who, together with about 150 of the Mussulman troopers of the 2nd Regiment Light Cavalry, and Tuka Sing Soobedar, of the same regiment (created a Brigadier-General of the Cawnpore division at the time), were at the bottom of all mischief. It was through their instigation that the Europeans were killed in cold blood, as described above; as also the gentlemen and ladies with their families that had arrived from Futtehgurh, whilst our entrenchment was besieged, who were also murdered in the most inhuman manner by the above wretches."

* For having acted in conformity with Acts of Parliament, and repeated Proclamations issued by the local Governments in India, guaranteeing to the natives of India the free exercise of their religion, caste, manners and usages, public opinion has recently been greatly excited against the East India Company, and numerous petitions betraying a most intolerant spirit have been presented to Parliament.

Clause 53 of the Indian Act of 1833 enacts that a Law Commission should be established, among other purposes "to suggest such alterations as may, in their opinion, be beneficially made in the courts of justice and police establishments, forms of judicial procedure and laws, *due regard being had to the distinction of castes, differences of religion, and the manners and opinions prevailing among different races and in different parts of the said territories.*"

Clause 85, with reference to the removal of former restrictions in the

of adoption is one of very great importance in India, as the Hindoos believed that the future happiness of the father depended on certain ceremonies being performed after his death by his son, or adopted son. It was true that the British Government sometimes refused to recognise an adoption carrying with it territorial and political rights; but this was not a prerogative introduced by the British Government, but had existed from time immemorial in India. In refusing to sanction adoptions of this kind, the Company had never interfered with the custom so far as private property was concerned; and, in proof of that statement, he might observe that the adopted son of the late Rajah of Sattara, though not recognized as the ruler of that

intercourse of Europeans in India, requires the Government of India to provide by laws and regulations with all convenient speed "for the protection of the natives of India *from insult and outrage in their persons, religions, or opinions.*"

And Clause 87, which may be regarded as the *Magna Charta* of the natives of India, enacts "that no native of India, nor any natural born subject of her Majesty resident therein, *shall, by reason only of religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office, or employment under the said Company.*"

All these provisions are confirmed by the India Act of 1853. In like manner, the Letters Patent under which Her Majesty's Courts of Judicature in India are established, contain similar provisions. That of Bombay, established in 1823, prescribes that in the administration of justice, *respect shall be had to the religion and manners, laws and usages of the natives, both Mahomedans and Gentoos*—"for the exemption even of their appearance in Court, in certain cases, if contrary to native laws and usages, and the Court is directed to frame rules and process "*with an especial attention to the religion, manners, and usages of the native inhabitants living within its jurisdiction, and accommodating the same to their religion, manners, and usages, and to the circumstances of the country, so far as the same can consist with the due execution of Law, and the attainment of substantial justice.*"

territory, had been allowed to inherit all the personal property of his father, as well as land to the value of £2,000 per annum. There was another subject to which he also wished to refer, but which he approached in a spirit of great humility. He had never felt more humbled than when he found it stated by an influential portion of the press, and re-echoed from the pulpit and the platform, that the Government had ignored their faith in India. A more unjust, a more unfounded charge than that, he should contend, had never been made. It was said to the Court of Directors: "Did you not preserve Hindoo temples and uphold Mahomedan mosques? Did you not, in 1819, dismiss from a regiment of Sepoys one of their number who had become a convert to Christianity?" His reply to those questions should simply be: "You are talking of past times, and, if you will but bring to notice any remnants of the old system which ought to be dispensed with, a remedy is sure to be applied." But, he would go further, and tell the House that, if they now asked the Missionaries who afforded them the most efficient aid, they would reply, the civil and military servants of the East India Company. It was chiefly through their contributions and exertions that churches had been erected in many parts of India. Indeed, out of five churches which had been built on the Island of Bombay, three had been erected on the voluntary principle. To the Company's servants, also, was India mainly indebted for her

benevolent institutions—a fact to which several Missionaries, with whom he was acquainted, would be found prepared to bear testimony. He was aware that many hon. Members had lately devoted themselves to the study of the condition of India, but it was idle to expect that accurate information upon the subject could be obtained by any man who had not been resident in India. Book-learning might be useful, but the information which it furnished must necessarily be incomplete; and no man could fully understand India, or form a correct idea of the difficulties we have to encounter, without visiting India. He might, however, call the attention of the House to one book in corroboration of the justice of the views which he entertained—he referred to the interesting journal of the amiable and pious Bishop Heber. The right Rev. Prelate there stated that, upon the occasion of his entry into the town of Baroda, a deputation had been sent out ten or fifteen miles to meet him, and that no English Prelate had, since the days of Thomas A'Becket and Cardinal Wolsey, been so well received. The strongest evidence, however, he (Mr. Willoughby) could give the House of the unfounded nature of this terrible charge (for such he personally felt it to be), was contained in what he might almost call the dying words of the venerable Prelate who had filled the see of Calcutta for twenty-five years, and who, in the beautiful language of the Government order announcing his death—

"After a career of pious Christian usefulness as Metropolitan, extending through a quarter of a century, marked by a zeal which age could not chill; and, by an open-handed charity and liberality which have been rarely equalled, this venerated Prelate has closed his long life, leaving a name to be remembered and honoured throughout British India.

"The Governor-General in Council requests that the principal officers of Government, civil and military, and all who may desire to take this opportunity to mark their respect for the memory of the deceased Bishop, will attend the sad ceremony of his interment.

"The flag of Fort William will be hoisted half-mast high at sunrise on the morning of Monday, the 4th of January, which will be the day of the funeral.

"By command of the Right Hon. the Governor-General in Council,

"CECIL BEADON,

"Secretary to the Government of India."

In his sermon preached at Calcutta on the day of fast and humiliation, the 24th July, 1857, the late Bishop Wilson thus reviewed the efforts which have been made for the spread of Christianity in India, and the moral improvement of the people of India:

"Things were better with them than they were formerly. All had been moving on in the right direction for more than fifty years past. Never was there a more just or beneficent Government than that of the British power in India. Peace and security for person and property have prevailed, commerce and all the Western improvements in medicine and the arts have been encouraged; every man stands equal before the laws; the administration of justice is pure; the taxes are of moderate weight; the contrast, indeed, of the equity of the British Government for the last sixty years, with the fierce tyranny of the Mahomedan for 600 years, is immeasurably in our favour. Then as to Christianity, pious ministers of every name and class, missionaries from all the different societies, are protected and honoured. The reverend chaplains have been trebled in number since Bishop Heber's time. Sacred edifices have been reared in more than a ten-fold proportion, many of them with the munificent aid of Government. Native converts have been added in large numbers to the Lord, especially among the Karens in Pegu, at Tinnevelly, Krishnaghur,, and elsewhere. The number of enlightened and faithful European Christians has largely increased in the civil and military, and other services, and amongst the East Indians also charitable designs to meet new forms of destitution are liberally rewarded. Christian education in all our missions and national education not excluding Christianity, though not directly teaching it, is spreading throughout the country. Unity and love prevail amongst the different divisions of the Protestant family. We no longer maintain the old and fatal mistake that Christian men are not to co-operate for anything till they agree in every-

thing. We now hold the antagonistic and true maxim that Christian men should act together so far as they are agreed."

Such was the dying testimony of this good and pious Prelate, and no one, he thought, would hereafter venture to charge the Government of India with ignoring the Christian faith.* He should next advert to the

* At a meeting of the Church Missionary Society, held at Dublin on the 18th of January, 1858, Archbishop Whately thus advocated non-interference on the part of Government, in respect to the all-important matter of religion, the policy which, in fact, has been pursued by the East India Company for at least the last twenty years.

"There seemed," observed this learned Prelate, "to be apprehension spread far and wide that the Government were intending to force the Christian religion upon the people of India, and that it is that that alarms them, but the Missionaries they fear not. And the inference to be drawn from this is, Why has not the whole peninsula of India been overspread with Missionary stations? Government would certainly have allowed twenty times as many mission stations to be established, as have been established. We cannot say that Government, whatever its faults may have been, have prevented that. Had we performed our duty in such a manner as would have overspread the whole peninsula of India with missionary stations, the probable result would have been, that this revolt would not have broken out, or would have been speedily crushed. Now I take this occasion to state distinctly that I earnestly deprecate all allusions to Government. I may add, that I shall of course deprecate the opposition of Government to our efforts, so I shall, if possible, still more deprecate any assistance of Government as Government to it, as it will excite the greatest degree of suspicion and alarm, and raise the greatest prejudice against Christianity. I should say that the maxim of this Society as a Missionary Society, with reference to Government, ought to be the same as the answer given by the French merchant to the minister who asked how Government could aid and forward the commerce of France? His answer was, "Laissez-nous faire," let us alone. We should recollect that Government is an agent which possesses physical power; and if Government, therefore, were even suspected of coming forward to aid missionary efforts by its own power, it would be suspected of exerting physical force, than which nothing could be more fatal to the cause. I say it would be disastrous in any state of society, and it would be more peculiarly disastrous in such a country as India, for this reason: that it is impossible to take away the religion of the Hindoo by main force; which, I believe, is what cannot be said of any other religion under the sun. In all countries, but more particularly in that country, any interference of Government must excite peculiar suspicion; but, as to the Missionary efforts, they have no fear of them, because it is open to every one to listen or to refuse to listen to them as he pleases. I do think that the calamities in India are, in some

question of colonization, and the charge which was brought against the Company in connection with that subject. The Court of Directors were asked: "Why do you not colonize India as Australia and Canada have been colonized?" His answer was: "The cases are not parallel. In Australia and Canada, those who emigrate can, upon their arrival, without much difficulty, obtain possession of land, or purchase land, which will reward the exertions employed in its cultivation. In India the colonist would find not only that the best portions of the country were occupied, but also densely peopled." Another obstacle to settling in India was the nature of the climate; "for the hewers of wood and drawers of water," the climate was a complete bar in the plains of India. There might be a few spots in the Himalayas, where colonists from this country could establish themselves; but, as to establishing a self-supporting Colony in the plains, it appeared to him absurd. Europeans cannot contend against the scorching heats of May and June, or the equally destructive rains of the succeeding months.* He had now endeavoured

degree, to be considered as judgments, not supernatural but natural, upon our culpable neglect in not having overspread the whole peninsula of India, which it was free for us to do, with Missionary stations and schools, for those of the natives that chose to frequent them; and I do hope we shall learn wisdom by what has passed. Let us not come forward to seek aid from Government; let not Government appear in a prominent manner at all; but let us come forward with our own money, our own exertions, and ask Government for nothing more than that they shall let us alone, and not interfere with or hinder our operations."

* The following observations are so apposite, I cannot resist quoting them, the more especially as Parliament has appointed a Select Committee to enquire and report upon the best means of promoting European colonization

to answer a few of the many charges which had been brought against the East India Company. With reference to the Bill before the House, he could only say that the further the noble Lord at the head of the Government proceeded with it, the greater would he find the difficulties by which his path was beset. There was, in the first place, the military difficulty—the dealing with the Company's troops, and defining and preserving their rights and privileges. It was said that an order of three lines would settle; this but such was not the case. The Company's troops had their rights and privileges; and, above all, their own funds, which could not be interfered with. Then came a more formidable question still, that of Indian finance. All the loans had been contracted and obligations incurred, in the name of

and settlement in India:—"There is a manifest disposition abroad among us to apply colonial theories to a country which is not a colony at all, but a great dependency. The cry for more settlers, &c., proceeds on the strange assumption that India is a field for enterprise, like the Australian bush or the Canadian backwoods. But what shadow of resemblance is there between an unsettled waste, and an empire whose civilisation, whether it be good or bad, is as old as its hills? India is full of men to overflowing, and the greater part of it is cultivated close up to its capabilities of production. Immemorial prescription has given it a right to its own laws and customs, to its settled usages and accepted religions. Our obligation is to govern India for its own benefit, and not for ours. Our recent policy has been to permit English born subjects to settle and buy land indiscriminately in all parts of India. The European settler has the Hindoo to compete with, and the Hindoo beats him out of the field by greater frugality, greater knowledge of native character, and a perfect absence of scruple in money dealings."—*Saturday Review*, 21st November, 1857.

No doubt there is a wide field in India for the profitable employment of British capital, and the enquiry should have been directed towards ascertaining, and, as far as possible, removing any obstacles which may oppose the introduction of British capital into that country. But colonization, in the usual acceptation of the term, is an impossibility.

the Company, and the Chancellor of the Exchequer would not, he thought, find it an easy matter to deal with those public creditors who might say to him, "We lent our money to the Company on the faith of their good management, you have altered our security, give us back the sums which we invested." If those creditors were disposed to place a strong reliance upon the wisdom of the new arrangement they would not take that course, but under other circumstances such might be the result. He (Mr. Willoughby) did not say such a demand would be made to any extent. He hoped not, but if it was, he did not see how, consistently with good faith, it could be refused. Then there was a third difficulty, namely, that all treaties, contracts, and engagements had been entered into with the East India Company, and on some of those the East India Company could sue and be sued. How were they to be transferred bodily to Her Majesty's Government? He was not the panegyrist of the East India Company, for he knew that they had committed many faults, and had also borne the blame of many others which they had not committed. But he concurred in all that had been said in the eloquent peroration of the hon. Member for Huntingdon (Mr. T. Baring) as to the general goodness of their administration; and although it was now, in a time of national calamity, proposed to extinguish their authority, he had no apprehension as to what the judgment of posterity would be. In fact, he might say, that

the judgment of posterity had been already pronounced. He meant by that, that as Madame de Stael had remarked, "the judgment of foreigners was the same as the judgment of posterity, because it was free from all prejudice and bias;" and certainly all the histories and travels he had read, from the earliest writers down to Baron von Orlich and the American traveller, Bayard Taylor, were full of admiration of the Company's rule; and one of them, if his memory did not deceive him, the Swedish Count Bjornstjirna, describing it as a living miracle. One word more and he had done. He (Mr. Willoughby) should have rejoiced not to appear on the present occasion in opposition to H.M. Government. He entertained a deep sense of the high honour they had, without solicitation, done him in selecting him, a stranger, to be one of the first nominees of the Crown, and he owed a special obligation to the right hon. Gentleman who had preceded him in the debate (Sir Charles Wood). The honour, however, was unsolicited, and conferred without conditions. But he felt that he only had the alternative of either remaining silent or speaking out, and as his apology for the course he had taken he had only to say—"*Amicus Plato, amicus Socrates, sed magis amica veritas.*"

SPEECH

ON

INDIAN AFFAIRS,

DELIVERED BEFORE THE

MANCHESTER CHAMBER OF COMMERCE,

ON THE

24TH JANUARY, 1866.

Pht. 3

BY

ROBERT KNIGHT.

("TIMES OF INDIA.")

LONDON:
WILLIAM JOHN JOHNSON, 121, FLEET STREET.

MDCCCLXVI.

28022

LONDON : W. J. JOHNSON, PRINTER, 121, FLEET STREET.

PREFACE.

SIR CHARLES TREVELYAN's device of Export Duties, to meet the deficit which the Budget Estimates professed to show in the Indian balance-sheet for 1865-6, drew forth from the press of this country a series of comments upon our finances, marked by so painful an absence of exact, or comprehensive, acquaintance with our condition, that I looked round me to see to whom I might address myself with a reasonable hope of securing a hearing upon the question. The *Times* had refused to publish a letter which I had sent to it upon the subject —a letter which I venture to think it ought to have welcomed to its columns, as the contribution of a writer who had very closely studied Indian finance upon the spot. In despair of awakening public attention in this way to considerations which are completely overlooked in this country, I determined to address myself to "the Manchester Party," in the hope that it might be induced to look carefully and comprehensively into our finances. I addressed myself to them, because, after all, they seem to be the only body of men in England who are willing to make any effort to grasp the facts of our condition. We have

no right, I submit, to inspect too narrowly the motives of Manchester in this matter; and it is hardly decent on the part of gentlemen who refuse to take any interest in Indian affairs themselves, to carp or sneer at those who do.

In pursuance of this resolution, I sought and obtained in June last an interview, in London, with Mr. Bazley, and other members of the House, in the presence of Mr. Henry Ashworth, the respected leader of the Manchester Chamber of Commerce; and I think I may venture to say that at the close of a long conversation with these gentlemen, I left them impressed with the necessity of bringing the whole subject of Indian finance under exact parliamentary inquiry.

The session was then too far advanced to admit of anything being done before the dissolution of the House, but Mr. Ashworth did not forget the pledge he gave me, that Manchester should take up the subject. Accordingly, a few weeks ago, I was invited to attend a conference of its Chamber to discuss the following subjects:—

1. The impolicy of levying Duties on Cotton Goods and Yarns imported into India.
2. The impolicy of Export Duties, as shown in the case of Saltpetre.
3. The advantages likely to attend the Sale of Waste Lands of India in fee-simple.
4. The Perpetual Settlement of the Land-tax.
5. The enactment of a Law providing for the registration and enforcement of Contracts, and the establishment of Small Cause Courts, at convenient distances throughout the country, invested with Summary Jurisdiction.

6. The more active prosecution of Public Works, especially as regards Roads and Irrigation.

The Conference took place on the 24th ultimo, when the Chamber was addressed by Mr. Dickenson (of the Indian Reform Society), Mr. Walter Cassels (late of the Bombay Legislative Council), Mr. Danby Seymour, Lord William Hay, Sir Arthur Cotton, and myself. As I followed these gentlemen, at the close of a long sitting, and spoke at considerable length, the reporters abandoned the attempt to do more than note what seemed to them to be the main propositions of my address. It has been represented to me, however, that it is of some importance that what I said on the occasion should be more widely known; and in reproducing from my notes the considerations I laid before the Conference, I have endeavoured to state exactly what I wished to have said upon each subject, rather than what I may have said. I have also increased the speech by embodying in it the substance of certain remarks which I made in conversation subsequently with some of the leading members of the Chamber, as I am anxious that the subjects dealt with may be fully understood.

We are carrying through in India at this moment a fiscal revolution of fatal import to the country, upon the strength of a vague general impression that we are doing a wise thing; an impression so erroneous that the least *exact* inquiry is sufficient to dissipate it. A Permanent Settlement of the Land Revenue throughout the whole of the North West

Provinces of India, has been proclaimed within the last eighteen months, while the Government of the country does not possess as much exact information, as to the pressure of the impost upon those provinces, as would justify it in settling the bazaar duties of a village.

So little appreciation is there, moreover, of what that change means, that Sir Charles Wood told me, in the course of a conversation I had with him, upon my arrival from India in 1864, that *no change* would be made in the Land Settlement of the country. Within three months of that assurance, a Permanent Settlement of the Land Revenue was proclaimed throughout the whole of the provinces I have named! The news of this revolution has been received almost without comment in this country. I do not hesitate to say, that peaceful rule of India in the future will be impossible, if Parliament do not lay its arrest upon the monstrous folly of which that settlement is the expression. There has been no Select Committee of Inquiry into Indian affairs since 1858—9, and if ever such a Committee were needed it is certainly at this crisis, when the whole fiscal system of India is to be recast, apparently, upon the model of this country, while everything in the circumstances of that Empire, speaks trumpet-tongued to us of the danger of such a course.

It is a curious fact that this great revolution is being carried through, in the teeth of an almost unanimous expression of opinion against it, in the leading organs of this country

no later than 1862, when it was presented in the far less fatal shape of Lord Canning's famous Land Resolution. On that occasion, the *Times*, better informed than it is now, assured us that the scheme was nothing less than "a total subver-
"sion of the fundamental principles of Indian Government
"thoroughly understood and deliberately adopted by the
"great statesmen who ruled India under the Company. It
"is the surrender of a radical principle of our Indian policy.
"*It is the sacrifice of the one single opportunity left in the*
"*world of carrying out in practice the essential principle of*
"*political economy in the maintenance of a community with*
"*entire justice and without waste. From the first hour when*
"*the philosophy of administration has been understood, it has*
"*been admitted that the true source of State revenue is the*
"*land, and the only sound policy is to preserve the land as*
"*the property of the State.* The land is the one species
"of property which necessarily and perdurably increases in
"value by the mere growth of society, and which can
"therefore be charged with the support of the State,
"precluding all burdens upon individuals, and precisely
"adapting itself to the demands upon it. *The misfortune*
"*of all the Western kingdoms of the world has been, that*
"*this discovery was not clearly made till the practical appli-*
"*cation of it had become impossible,* through the appropria-
"tion of the soil as private property; and when India
"came into the hands of our fathers, they found them-
"selves in possession of *the one opportunity left in the*

"*world for carrying on government without taxation, and* "*without the necessity for ever instituting taxes.*"

The *Daily News* warned us with equal vigour against the minor change that was then contemplated; while now that a revolution of ten times its gravity is advancing with giant footsteps towards completion, almost no voice is raised in its arrest. One of the great objects of my address to the Chamber was to awaken attention to this subject, while there is yet time for inquiry; the others I had in view, will speak for themselves. And I venture earnestly to beg, in the interests of our great Indian Empire, a patient hearing of considerations novel to the English mind, but vital to the welfare of India.

LONDON, *February*, 1866.

SPEECH.

Sir,—I have listened with great attention to the speeches which have been delivered here this morning, and before entering upon any consideration of the special propositions on which you invite discussion, I must be allowed to make some remarks upon what has fallen from the gentlemen who have preceded me. You opened the meeting, Sir, yourself, by quoting with great approval from an Indian journal the statement that India had allowed the fairest opportunity a nation ever possessed "of establishing, once and for ever, a lasting and lucrative trade in cotton" to slip by her without improvement. The exact quotation was as follows: "It is obvious that the prosperity of a country would be better promoted by a ready alacrity in seizing the great opportunities of improvement which the fluctuation of events is now and again placing within our reach. Never had a nation a fairer opportunity of establishing, once and for ever, a lasting and lucrative trade in cotton than that which the American war offered, and never has a nation more grievously neglected it. . . . It was known that our staple was bad, and in normal states of the market could not hold its ground against that of America; and, instead of any vigorous and enlightened efforts being made to improve it, or to compel improvement, which would have been the exercise merely of a humane despotism, we have a Cotton Frauds Act as the *summum bonum* of legislative wisdom, and a Cotton Commissioner experimenting, and still experimenting and distributing a few pounds of New Orleans seed annually in Mofussil."

Now, Sir, the journal you have quoted represents largely the non-official mind of India, and I must state, at the outset of my speech, my deep regret that this Chamber so constantly reflects the uninformed opinions of this class. It is one of our misfortunes, Sir—and one that admits of no remedy—that you will never get, and never can expect to get, an enlightened and well-informed judgment upon the affairs of India from the non-official body in that country.

The Bombay Chamber of Commerce at this moment consists of a body of young men, than whom no better judges of piece goods and cotton, I dare say, could be found in the world, but who are void of much practical wisdom on political subjects, and who have necessarily little acquaintance with Indian affairs. You send out these young men at twenty or twenty-two years of age, to sell piece goods for you, and to buy cotton; and they commonly retire from the country within eight or ten years. The consequence is that the only deliberative non-official body we have, the Chamber—whose opinions you are constantly reflecting here—is of an average age of twenty-seven or twenty-eight years. Well, do you think you are likely, Sir, to get much matured wisdom from such a body, or much safe guidance upon the troubled sea of Indian affairs?

From curiosity, I tried out for myself the other day the average age of some twenty members of your House of Commons, taken at random, and of the Peers; and I found the average age of the Lower House to be fifty-four years, of the Lords, fifty-seven. And can any man doubt that it is because of this preponderance of age in your national councils, that so much practical wisdom guides them, and that so seldom is any step taken, in either House, which comes afterwards to be regretted? But what would be the effect, Sir, of getting together a Parliament of the average age of twenty-eight years? I would beg the Chamber to weigh this consideration well. You never, Sir, *can* get from the non-official body of India, an opinion upon public affairs

that you may safely trust; and so long as this Chamber continues to reflect that opinion so largely as it does, its influence upon the conduct of our affairs cannot be otherwise than perilous. Go back now to the quotation you read, and allow me to cast a little light upon it. You will remember that the Cotton Frauds Act emanated from this Chamber. You expressed a strong opinion as to the necessity of such an Act: and in furtherance of your wishes the Government of Bombay appointed a Committee to draft an enactment upon the subject. Two or three of the most prominent merchants of Bombay (the Hon. Mr. Scott amongst them) sat upon that Committee, and both official and non-official members worked loyally at its construction. The Bill was at last published. It was not a perfect Bill; but it was the best Bill the Committee could draft; and how was it received? Why that very journal you have quoted with so much approval, did its utmost to prevent the Bill becoming law! The Government had inadvertently omitted to consult the Chamber *collectively*, in the preparation of the measure; and that wise body of very young men almost insolently told the Government that it need look for no help from them to carry the measure into effect. The dignity of these young gentlemen was offended. They had been insulted, and what they could do they did, to thwart the measure.

Now it is desirable, perhaps, gentlemen, that I should, as bearing on my practical knowledge of these questions, say, that I am proprietor of the *Times of India*, and edited that journal myself from 1857 to 1864. But it happens that I am more. I am a non-official of the non-officials, for I am one of those very coffee-planters of the Neilgherry Hills, upon whose woes Mr. Danby Seymour has been touching this morning. I possess one of the largest estates upon those hills, and have, at this moment, nearly 300 men at work upon it. I have no connexion with Government, direct or remote. I have no expectations from it whatever; but I have had the advantage of watching its course very closely for many

years past, as a political writer. Well, gentlemen, I tell you that it is a libel upon the Government of India to say—as has been said here this morning—that it is disaffected to European enterprise in India. I affirm, from a long course of observation upon the spot, and after full opportunity of forming an unbiassed judgment, that, upon the whole, the Government of India is as wishful to promote European enterprise in India, and push forward the affairs of that country, as this Chamber. You have had a long impeachment, gentlemen, this morning, of the Indian Government from Mr. Dickenson. Now I have the warmest regard for Mr. Dickenson, as a sincere friend of India. I know him to be such, but I know him also to be wrong in this matter. Some years ago, we pulled very much together, when urgent reforms were required; but Mr. Dickenson has been ill-informed on Indian subjects of late years. He has done what you have done, reflected too faithfully the uninformed non-official opinion of India; and he has, therefore, gone wrong. I will give you an instance of it. It is not yet four years since Mr. Dickenson brought out a pamphlet by a Mr. Brown, of Tellicherry, upon Indian affairs. So important did Mr. Dickenson deem it to be, that he himself wrote a preface to it, and launched it from the gates of the Reform Society at the Indian Government. And what was Mr. Brown's complaint? A passionate protest against our injustice to the people of India, in allowing Cotton and Seeds to escape the export duty we levied upon the coarse grains grown in the country! Neither Mr. Dickenson nor Mr. Brown could see, that we did so in the ryot's own interest, that he might compete on the best possible terms with other producers of cotton and seeds. Now, gentlemen, suppose for one moment that the Indian Government had listened to Mr. Dickenson's representations, and put an export duty on cotton, I ask you what would have been the judgment of this Chamber upon the matter? And it is Mr. Dickenson who so vehemently denounces this morning the misgovernment of India, as the cause of your getting no more cotton therefrom.

But again, you heard the same gentleman complain that the coffee-planters of India were left without roads to their estates, and Mr. Danby Seymour seemed to be at one with him. Now I beg the Chamber to observe how readily it may be misled upon such subjects. I am, as I have told you, one of these very Neilgherry coffee-planters, but I have never dreamed of reproaching Government that it had made no road to my estate. These coffee lands lie in inaccessible, out-of-the-way localities, where no roads exist, but simply mountain paths. The coffee-planter selects land in these districts, with the full knowledge that he will find great difficulty in getting his crops to the seaside. Were the lands more accessible, did good roads exist to them, he would have to pay a very high price for them, where he now obtains them for an almost nominal cost. But he has no sooner opened his estate, and brought it into bearing, than he begins to cry out against the Government, because of the difficulty of getting his produce down to the plains. But is the Government to blame for that? Is the Government—all the energies and resources of which are unequal to construct roads, even in the plains—to go up into the hills, and make them for the planter? Let him do, Sir, as I have done, make them for himself. It was only yesterday that I accepted a bill for £500, drawn by my partner, at Coonoor, for making roads to our estate; and I repudiate Mr. Danby Seymour's sympathy, and Mr. Dickenson's remonstrances, on our behalf. This incessant calling upon Government to help us is most unhealthy, and, allow me to add, most un-English. You must not take up such outcries, gentlemen, in this Chamber, if your influence is to be a right one, but must regard with more suspicion than you are accustomed to show, the representations of the non-official class in India.

I am truly sorry, gentlemen, to have had to complain of the tenor of Mr. Dickenson's address, for I have a sincere admiration for his disinterested and laborious efforts on behalf of India. I only wish they had been of late years more wisely directed.

I will now proceed, Sir, to take up, in regular order, the propositions for discussing which we are invited here to-day. The first of them is this :—

The impolicy of levying duties on Cotton goods and Yarns imported into India.

Gentlemen, you want in this Chamber greater breadth in your treatment of Indian affairs. I agree with you that it is bad policy to levy duties on yarn and piece goods imported into India, but not on the ground on which you come to that conclusion. I tell you that it is bad policy to levy Customs duties *at all* in India, because you never can get a revenue from such duties. A tax never draws well, till it reaches the masses. Now it so happens, that the only articles of general consumption that pass through the Indian Custom-house, or are ever likely to pass through it, are the products of your mills and looms. The total gross revenue we are deriving at this moment from the vast network of Customs machinery which stretches along our coast of 3,500 miles, is less than £2,200,000 ! And, gentlemen, you will never get much more. The existence of Custom-houses in India is but a wretched imitation of the fiscal system which has grown up in Europe, under a condition of things totally different from what prevails in India, or ever can prevail there. You find no difficulty in this country in raising a vast revenue with great ease through your Custom-houses. But why? Because through your Custom-houses lies the highway of half-a-dozen products of the world's industry, that are consumed by every man, woman, and child in the country. Thus you get a very large revenue from a small duty upon tea, because every one drinks tea ; from coffee, because every one drinks coffee ; from sugar, because every one uses sugar ; and so on. *A tax never draws well, till it reaches the masses.* And so, the *only* important source of revenue in our Customs list in India, is just those very manufactures which you want to see imported free. I, also, should like to see them imported

free; but as they yield us half our revenue from Customs, if you admit them free, you must admit everything else free. And that, I believe, is our right policy in India: free ports everywhere; because under no conceivable condition of things, can we ever hope to get a revenue of any moment from Customs. It is because of this, that I hold so strongly the impolicy and danger of tampering with the one great and inexhaustible source of revenue in India—*the land!* The advocates of a change tell you that if you will permanently settle the land-tax, the people will soon show a power of consuming *dutiable* articles that will make you independent of the land-tax. But *what* dutiable articles? Is it to be tea, the people are going to consume; or sugar; or coffee? Why, they are all grown at their doors. Is it to be spirits? The 40,000,000 of Mussulmans *cannot*, and the masses of the Hindoo people *will* not, touch them; and I hope never will.

My quarrel, Sir, with the men who are tampering with our land revenue is this, that while they cannot point out an article or product of any kind, from which there is even a remote prospect of our ever getting revenue in India through the Custom-house, they would have us be content with general assurances that we need have no fear upon the subject. To show, Sir, how inelastic our Customs are, allow me to point out that we are getting very little more to-day from this source, than we were forty to fifty years ago:—

CUSTOMS REVENUE—INDIA.

1817-18 to 1821-22 . . .	£1,667,000
1827-28 to 1831-32 . . .	1,747,000
1865-6	2,191,180

These figures represent the average annual revenue from Customs forty years ago, and the total estimated revenue of the present year. You sent us the late Mr. Wilson to set our finances right, and I would speak with every respect for the memory of that distinguished man; but so

little insight had Mr. Wilson into our real condition, that even *he* dreamed of a large revenue from Custom-houses. But did he find any new dutiable articles that he might tax? No; nor will such ever be found in the list of our imports, unless you make up your minds to tax bullion, and metals, and machinery. All that Mr. Wilson could do was to raise the rates to 20 per cent. By this spasm he screwed the revenue temporarily up to £4,000,000, to sink back within two or three years to its old level of £2,000,000, when his highly prohibitive tariff was abandoned. You may lay it down, gentlemen, as an axiom of Indian finance, that you will never realise a revenue through your Customs establishments. Take the duty off piece goods and yarns, and we have £1,000,000 of gross revenue left;* from which all the charges of collection over 3,500 miles of seaboard have to be deducted. Everything in our circumstances points to the propriety of our declaring free-trade with the world—not comparative free-trade, as you have it here, but absolute; that we open our ports to the ships of all nations, and taking upon ourselves the trifling charges of harbour dues, light dues, and pilot dues, bid all the ships that traverse the ocean "come and welcome" to India, without imposts of any kind. It is impossible to say what the seaborne commerce of India might not become under wise government; but, gentlemen, while declaring her ports free, we must hold fast by her land-tax, for it is the *one* certain source, and the only certain source, of her revenue.

Let me sum up. If we are to have Custom-houses in India at all, then must we pronounce against your first proposition, which declares the impolicy of our levying duty upon piece goods and yarn; for to retain our Custom-houses, and abolish our chief source of revenue therefrom, is plainly absurd. Rather than see such deference shown to the interests of this Chamber, I would consent to an excise

* Raised from nearly 1,000 articles of import and export!

upon the produce of the Bombay mills. For let it be well understood, that the duties we are levying upon your manufactures, are in no sense whatever *protective*. They are imposed simply for purposes of revenue; and if we are to retain import duties at all, then must these be retained. I am not even prepared to say that they ought not to be increased, in such event; but I have told you freely my conviction that the imposition of such duties, at all, in India is an error in our fiscal system, arising from a mischievous caricature of the highly artificial system of taxation that prevails in this country.

I need say very little, Sir, upon the second subject on your paper:—

"The impolicy of Export Duties, as shown in the case of Saltpetre."

What I have said on the subject of import duties, applies with still greater force to export duties, in a country like India. An export duty, I suppose, is never defensible, except in those rare cases where a country possesses the monopoly of some production. An export duty was laid upon Indian saltpetre, by the late Mr. Wilson, under the impression that Bengal possessed a virtual monopoly of the supply. I shared the belief with that gentleman, but I understand that it is now found that the cheaper salts produced in America, and in France, are competing successfully with the saltpetre of Bengal. Well, if that be so, the export duty levied in the Indian ports should, of course, be remitted at once.

But here, again, Sir, let us get upon a broader platform. Export duties in India are a mistake altogether, and should be wholly given up. We are compelled, by the competition which the ryot has to encounter from the producers of other lands, to allow Cotton, Seeds, and others of our great exports, an exemption from export duties; and the result is, that our vast export trade is burdened with all the forms of a cumbrous Customs' procedure, for

the sake of a revenue little better than nominal. I have not the statistics of the last two or three years with me, but in 1862 I directed the attention of the Bombay Chamber to this subject, in the *Times of India*, as follows:—

"The total value of our exports during the last year, was upwards of £21,000,000. Will it be credited, then, that the gross amount of export duty, realised by the cumbrous and vexatious machinery appointed to collect it, was just £54,416 sterling! The truth is, that in so far as our export trade is concerned, we are compelled to allow it to be free of all but nominal imposts, while we yet mischievously incumber it with an irritating and expensive Customs procedure, that could not be more elaborate, though we were deriving millions from its existence. Let the Chamber of Commerce weigh the fact, that our export trade of twenty-one millions sterling is burdened with all the forms of an elaborate Customs Act for the sake of £54,000 a-year—a sum probably not amounting to what our merchants have to pay in the shape of salaries for clearing clerks, and hardly more than equivalent to the pay of the establishment required to make the levy. On our import trade of £22,000,000 we realised during the year the gross sum of £774,861, against which have to be set about £50,000 for drawback, and all the expenses of the collection. Of this sum, moreover, the duty on yarn and piece goods alone amounted to £360,000, or nearly one-half of the gross collections of the port. As the Chamber knows very well, it will not be long before this amount will have to be sacrificed to Manchester demands, when the fact stands revealed that for the sake of a gross collection of £353,000, or thereabouts, we are wise enough to burden a trade of £42,000,000 sterling, with all the hindrances a Custom-house offers to its growth. To increase the pressure of either the import or export duties would be next to impossible, and how wild is the idea of our ever depending thereon in India, for the national expenditure, is clear."

The belief that I would urge upon this Chamber, Sir, is this, that the Custom-house is an institution unsuited

to our circumstances in India altogether. It costs us far more in the way of hindrance to our trade, than we derive from it, or ever can derive from it. The belief that we shall ever be able to depend upon indirect taxation for the national income will shipwreck us, if we are unwise enough to trust to it; whereas, by opening all the ports of India to an unfettered commerce, we should see a development of its trade that would strike the world with wonder. To illustrate the greater folly by the less, can there be a more pitiful exhibition of the "traditional wisdom" which is forced upon us, than the levy of light dues and harbour dues in our ports? You have not found out yet, even in this country, Sir, all the secrets of successful intercourse with the world. In private life, who that wishes to see his friends, would direct the keeper of his lodge to demand a toll of every visitor to keep the carriage-drive in order, and to pay the cost of lighting it? Not one whit more reasonable are the light dues and harbour dues you have learned from your fathers to levy upon the shipping that comes to your ports, and which you make us also levy in India. Allow us to publish to the shipping of the world that so desirous are we of their coming to our ports, that they shall be free to come and go unchallenged; that we will levy no due of any kind upon ship or cargo, but will regard all the favour of the visit as conferred upon ourselves; that we will lighten the approaches, and mark the dangers, and point out the anchorages of our harbours at our own expense, and that all we ask of them is TO COME! The result of such a course would be that, within 20 years, India would lead the commerce of the world, and you would find all other nations pressing in our wake, imitating, as far as was possible to them, our example, and wondering at our fortunes and our future.

And now, Sir, about waste lands. We are asked to express our opinion upon

The advantages likely to attend the sale of Waste Lands in India in Fee Simple.

That it is desirable to get the waste lands of India cultivated, there can be no doubt; but you must remember,

gentlemen, that it is not waste lands for the growth of cotton, or any other staple of the plains, that all the agitation in India has been about ; but waste lands for the growth of tea and coffee. Now, I am a coffee-planter myself; but I have learned, from my vocation as editor, I suppose, to take a broader interest in India than planters usually do, and I cannot conceal from myself that the advantages which are expected to flow from the planting of tea and coffee on the mountain slopes of India, are greatly over-estimated.

It is from no love of paradox, nor from any wish to depreciate the planter, that I affirm that the advantages derived by the people of India from the presence of the planter, are far from being as important as he supposes. So settled is the belief that we are to derive immense advantages from the enterprise of English planters, that it is almost dangerous to venture upon an investigation of its grounds. And yet nothing can be more superficial, than popular impressions upon the point. If you inquire at all closely into the subject, it will appear that all the direct advantages of the enterprise, are enjoyed by the planter himself; and that the indirect ones the country may hope to reap therefrom, are by no means of the magnitude popularly assigned them. It is overlooked, I think, that there is a wide difference between the successful cultivation of a new article of export upon the waste hills of a country, and the successful cultivation of the same article upon the lands already under cultivation. Tea and coffee planting by Europeans upon the waste mountain slopes of India, will have an altogether different effect upon the country, from the successful cultivation of the same products in the plains. For the successful growth of a new export in the cultivated lands of a country, enhances the value of its whole area ; not so the growth of a new export upon its wastes. In the former case, the export displaces less valuable crops ; and, contracting the acreage under such crops, will raise the value of all descriptions of produce together, to the indefinite advantage of the agriculturist. In the case of hill

wastes, however, brought under cultivation with products that cannot be grown in the plains, it seems to me that the agriculturist must lose much of what the labouring class gains In other words, the demand for labour upon the hill plantations, makes labour dearer in the plains. The mere labourer will gain by this, of course; but it will be at the expense of the producer, who will find the cost of cultivation proportionately enhanced of every staple in which he has to compete with other lands. Thus the advantages the tea and coffee planter's presence brings with it, are largely counterbalanced by the injury it inflicts on the plains. The cultivation of tea and coffee in the hills makes the cost of producing cotton and linseed in the plains greater than before; and, by so much, places the producer at a disadvantage in competing with the agriculture of other lands. For it must be remembered that this is not the case of a land suffering under a surplusage of labour, but of a land in which the dearth of labour is already severely felt. I trust that no one will suppose that I repine at the labourer's good fortune. I am simply pointing out considerations in connexion with European planting, that have been, I think, overlooked.

In the next place, the planter in nineteen cases out of twenty will be an "absentee landlord," drawing a large revenue, as time wears on, from India, and spending it in England. This, of itself, is a very important drawback, in no way counterbalanced by the fact, that the plantations may pass eventually by purchase into native hands; since the purchase-money of these estates, their capitalised value, will find its way sooner or later to Europe. The money paid by the planter for the fee-simple of the land, is too trifling in amount, to be worth estimating in this inquiry. What, then, are the advantages which India is to derive from a cultivation, the profits of which go to enrich not her own children, but ourselves? No doubt it will be replied, that the mere presence of a body of Europeans in the country engaged in such pursuits, will exercise a beneficial influence upon the character, and the future, of the people. I

am disposed to allow full weight to this consideration; but am afraid that the history of colonisation in all parts of the world, is far from encouraging the anticipations formed on this head. To come nearer home, what have the indigo planters done for Bengal, during the half-century of their fortune-making therein? What could be more demoralising to both races, than the nature of the relations subsisting between them, at its close? And as to securing good government for the people, the Bengal planters were willing enough, it is to be feared, to have allowed the old state of matters to have remained until doomsday, so long as their own powers remained intact.

But let us suppose, that the advantages which are to flow from planting enterprise in India, are to be all that is predicted of it, what grievance is there in the Government putting those tea and coffee lands up to auction, that it may obtain the best possible price for them? So restricted are they in extent—at the Neilgherries, for instance—that it is difficult, if not impossible, any longer to obtain land there at all. I myself was one of those aggrieved gentlemen who applied for land under Lord Canning's rules, and had to submit to take it under Sir Charles Wood's. I certainly had hoped that I should get it at the upset price of Rs.5 an acre. But those "rascally" natives, who knew the value of the land as well as my partner, ran us up to Rs.18 the acre, for a large part of it. But I made no grievance of the thing; I was but too glad to get the land even at that rate. The newspapers, however, who never knew that I was the purchaser, took the cudgels up for me, to my great amusement, and abused the Government roundly for the exaction. As a matter of fact, Sir, there never was of late years, any unreasonable difficulty in getting waste lands in India. In proof of this, I point you to the fact that the Wynaad, and the Neilgherries on our side of India, were filled with coffee plantations; and on the Bengal side, in Assam, Cachar, and Darjeeling, its great tea districts, no fewer than 196 estates were under cultivation in 1861, *before Lord Canning's Resolutions were even heard of!*

The tea plant was first discovered growing wild in Cachar, in the year 1855, and the total area under lease in Bengal for cultivation, at the close of April, 1861—that is, within six years—is supposed to have been not less than 200,000 acres. Could any more conclusive proof be given of the sort of agitation, in deference to which the land resolution of Lord Canning was passed? The truth is, that the crime of the State was, that it attempted in any way to keep a reserved rent for the Commonwealth, in the limited districts of the country, which were found suited to tea and coffee cultivation. Sick with anxiety to get the land into their possession, the needy adventurers of Calcutta screamed with rage at every intimation on the part of Government, that the land should only be sold at its fair value, until they frightened the timid counsellors around Lord Canning into the unconditional promise of selling it to the first comer at Rs.5 per acre. That no unreasonable obstacle ever existed to the obtaining of land in these districts, I have shown; while the sort of applications that were made for land received a fair illustration in the case of Messrs. Barry and Hernott, who obtained—and of Sir J. P. Grant, be it remembered, too—nearly twenty thousand acres of tea land in Cachar, and had opened just fifty acres at the close of the year 1860-61, at which date they were employing twenty-two coolies in developing the resources of the country! Is it not lamentable, gentlemen, that you should be misled by the representations of such men?

You have had, this morning, from the lips of Mr. Danby Seymour, a very fair illustration of the sort of demand I am exposing. You remember, Sir, that he called your attention to the fact that Mr. Temple, Commissioner of Nagpore, had been rebuked by the Government of Calcutta for wishing to sell 16,000 acres of land, to some one who had applied for it. And you remember the price that was to be paid for it—sixpence per acre. That is to say, the Government of India did very wrong to refuse to alienate in perpetuity about thirty square miles of territory, when the magnificent

sum of £400 was offered for the purchase. Why at that moment, Sir, we were sending a railway into the heart of Nagpore, at the cost of £20,000 a-mile! My humble judgment is, that the Government of India—and by that I mean the Commonwealth of India—is better off to-day with those thirty square miles of land in its possession, than it would have been with the £400 offered in exchange for them. Gentlemen, you must remember that the Government of India dare not lose sight of the fact, that its *one source of revenue is the land*, now and for all time, so far as we can see.

And this leads me, Sir, to remark further, that what the planter really demands in India, is a good deal more than what you call fee-simple. For there is nothing inconsistent with a fee-simple title, in the levying a tax upon the land. Now the grievance of the planting body is, that the title does not carry with it exemption from the land-tax. Of course it would very materially enhance the value of *my* estate, if no land-tax were to be levied upon it now or for ever. But I know that the Government must have a revenue; and I see clearly that a land-tax is the wisest of all taxes in India, and I will not be a party to any selfish agitation for a concession, that the Government of India ought not to make. My title is perfect, though I do pay a land-tax of Rs.2 an acre, and shall probably by-and-bye have to pay more. The Commonwealth has a right to tax my land, if that is the wisest and most equitable way of raising the revenue; and I believe it is. What the planters of India required was far more, I say, than a fee-simple right in their lands. They demanded not only absolute ownership of the land, but a pledge that we would never lay a tax thereon; an exemption which fee-simple title in this country so little conveys, that one of the first economists of the age asserts his opinion, that the State has a clear and equitable right *even here* to the whole "future increment of rent" that may arise from causes independent of the landlord's exertions, if it choose to assert it. Mr. Danby Seymour must pardon my telling

him that fee-simple titles exist throughout India, although we do raise a revenue from the land.

The terms "lease" and "rent" when applied to India, are very misleading to English ears. You have heard this morning Mr. Cassels' lucid description of the thirty years' leases of the Bombay Presidency; and I endorse heartily all that gentleman's statements upon the subject. The holders of these leases have as indefeasible a title to their lands, as any fee-simple in existence. No power on earth can disturb their possession of them. Their title is absolute. They hold for ever; subject only to a trifling impost upon their estates, liable to enhancement, and quite possibly to reduction, once in a generation of years.

And here, Sir, let me beg your careful attention to a fact I am anxious to fasten in the memory of this Chamber. You have heard it asserted this morning by Mr. Seymour, upon high official authority, that the land revenue of India is a rack-rent of one-half, and even two-thirds, the produce of the ryots' fields. Sir, it is not very creditable to the Government of India, that it was left to a journalist there to explode this absurdity. It is only within the last three or four years, that I have succeeded, I think, in India, in dissipating this mischievous delusion. It lingers, no doubt, still here and there in some muddled official brains, and forms too convenient a cry for selfish agitators to be completely silenced as yet. But if Mr. Danby Seymour will take out his pencil, and note down a few figures that I will give him, I think I can convince him that he is in error.

Let us suppose, then, for a moment that he is right in his belief, that the assessment we are levying absorbs one-half of the gross produce of the land. It will, then, follow—since the gross land revenue of our territories amounts to no more than £20,000,000 sterling—that the total value of the produce is just twice that sum, or £40,000,000 sterling annually. There is no escape from this conclusion in any direction. If the assessment really amount to one-half of the produce, then *must* the whole value of

that produce be just twice the amount of that assessment. But we know the amount of the assessment to a fraction; and in round figures it is £20,000,000. Plainly, then, if Mr. Seymour's statement be correct, the total value of the produce of the land is about £40,000,000 sterling annually!

But will any one who reflects at all, endorse so absurd a statement, or avow the belief that it is correct? In the first place, the whole cost of feeding 130,000,000 of people must stand represented in that sum; for that is the population of the British territories, exclusive of the Native States. In the second place, there must be represented therein the whole value of the forage and grain crops of the country for cattle, the whole value of the crops of cotton, oil seeds, spices, &c., grown for home consumption; the value also of the immense exports that we contrive to make; and, lastly, the annual accumulations of the zemindars and ryots.

I am persuaded, Sir, that the annual value of the crops of India cannot be less than three to four hundred millions sterling, and that the average pressure of our land revenue thereon, does not exceed one-fifteenth of the produce. Now, bear in mind that this is *all* the State levies upon the land. Call it rent, or call it tax, or whatever you please, this is its pressure; while it is in deference to ignorant clamour about the great pressure of this tax, that the fatal step is now being taken in India of *permanently settling it* at its present amount. I cannot find words, Sir, to express my sense of the error that Sir Charles Wood has been induced to sanction. It is my profound conviction that we have seen an end of all peaceful rule in India, if Parliament continue idle spectators of this movement. The vital question of our times in India is

THE PERPETUAL SETTLEMENT OF THE LAND TAX.

It means, Sir, the perpetual settlement of our whole revenue. It means that with a rapidly increasing expenditure, we are to divest ourselves of the only revenue we have that can reasonably be relied upon to expand. Sir Charles Wood and his Council are endorsing the popular impression

that the thirty years' leases of Bombay and the North West Provinces—although all improvements under them, made by the cultivator, are secured to him—are not a sufficiently liberal tenure to induce him to sink capital in his fields; and that, upon the whole, the land-tax of India is an impolitic tax, and presses heavily upon the industry of the country. That there is not a particle of foundation for these impressions, but that under these leases, as Mr. Cassels has shown you, the ryot is everywhere rapidly accumulating wealth; that capital is being as largely sunk in the soil, as the hoarding traditions of the country yet render possible; that the impost is a tax upon no man's produce, and upon no man's labour; that to settle it permanently will produce no real advantages, but will plunge us into certain embarrassments, and be a fraud on the whole urban population of the country; that the pressure of the impost, instead of being what it is popularly supposed to be, is so light that it is doubtful if it absorb even one-twentieth of the produce; that vast centres of wealth are growing up under the thirty years system, as Bombay with its mills, and factories, and million of people; Ahmedábad, Broach, and Dharwar, with their wealthy populations; and Kurrachee, with its giant trade; that the objection against the thirty years' leases—viz., that in their last years the tenant would fear to improve his holding—is an objection held to be of no weight in any other part of the world, and might, moreover, be entirely obviated by renewing them three, four, or five years before they fell in; and, lastly, that under the heavy and continuous rise in prices that is taking place, we ought at once to double the pay of the establishments of the country, if we would not see them demoralised,* and have no possible

* There is no measure, perhaps, more urgently called for at this moment in India, than a statesmanlike and comprehensive revision of the pay of the Establishments. Instead of patching up salaries with irregular allowances of batta and house-rent, and I know not what else, the fact should be looked full in the face, that the pay of the establishments has become altogether inadequate to maintain their efficiency. It is a fact that, during the last summer, officers of our army

means of doing so, but from the land—all these considerations are given to the winds.

It is with regret and indignation that I have seen the Home Government dragged at the heels of this folly. The Council, which should have stood between the selfish agitators in India, whose clamour initiated the movement, and the Government, have lent themselves to it; and they who, like Sir John Lawrence, have approved this change, have done so to a man upon merely general impressions, as their published minutes upon the subject show. A Permanent Settlement of the Land Revenue of the whole of the North West Provinces has just been declared, without the Government possessing as much exact information upon the pressure of the tax, as would have justified it in determining the bazaar duties of a village. That Mr. Laing and Lord Canning should have been carried away by the outcry, was deplorable enough; but that a majority of Sir Charles Wood's Council should have possessed so little insight into the conditions of Indian finance, as to sanction this fatal resolution, is amazing. Sir, that Settlement of the North West Provinces should be instantly subverted at any cost, and the course upon which the Government has entered arrested by Parliament. For

in Poonah were obliged to restrict their wives and children to the use of fresh meat twice a-week, owing to the enormous rise in the prices of all the necessaries of life. The fact is surely disgraceful to our administration. The ryots of the presidency, meanwhile, are revelling in prosperity, and it is in these circumstances that we are told we must fix the land-tax in perpetuity, lest we should depress their enterprise! Mr. Justice Couch, of the High Court of Bombay, himself told me, about two years ago, that had he known the frightful cost of living in Bombay, he would not have accepted the judgeship offered to him. He had consulted Sir Erskine Perry upon the subject, and that gentleman, ignorant of the revolution that had occurred in our circumstances, had completely misled him. It is not in the Bombay Presidency only, that this change has taken place. It has taken place *everywhere*. The agricultural classes are amassing wealth, while men on fixed incomes are starving.—R. K.

let this movement progress, and within twenty years you will see the Empire torn to pieces, in the effort to resume in the way of direct taxes, what is now being cast to the winds in the mere passion for change.*

The short history of this deplorable movement, Sir, is this: The famine in the North West Provinces occurred just at the time when the great outcry about waste lands was agitating Calcutta. The late Colonel Baird Smith was deputed by Lord Canning to report upon that calamity; and Colonel Baird Smith, unfortunately for the country, had been a great apologist, as it subsequently turned out, of the Permanent Settlement in Bengal. Indeed, he had been a writer in

* It cannot be too often repeated that we have but *one* source of revenue in India, upon the expansion of which we may reckon with confidence. We derive our present income from land, opium, salt, customs, stamps, and abkaree (spirits). I would not exaggerate the precariousness of the revenue we get from opium; but that India for all time to come, may count upon an OPIUM revenue of £7,000,000 a-year will be maintained by few persons. The SALT TAX I believe upon the whole to be a wise tax, but we have screwed it a little too high, as is clear from the smuggling that goes on in the north-west; and it would be well, perhaps, to lower it R.1 a maund. At all events no further expansion is possible. That we shall ever get a large revenue from CUSTOMS is a day-dream, as I have shown. The revenue from STAMPS will no doubt expand with our commerce, but it can never occupy more than a subordinate place in our estimates; and I have already pointed out that the habits of the people are opposed to our ever getting a large revenue from Abkaree. In these circumstances we are shut up to the land revenue, or a giant income-tax in its room. Superficial statesmen and self-seeking agitators have between them brought the future finances of the country into circumstances of the deepest peril, and the necessity of parliamentary interference, is paramount. The growing necessities of the Government will have to be provided for, and the land revenue being fixed in perpetuity, they must be provided for by taxes on realised capital and income. In attempting to make good the loss in this way, the Empire will be torn to pieces by excitement, industry will be paralyzed, and capital driven to happier shores. It is almost incredible, but true, that *the people* of India are profoundly indifferent to this Permanent Settlement gift. We owe it entirely to the *doctrinaire* counsels of men without insight into our real condition.—R. K.

the newspapers, I believe, in its defence. Full of belief therein, he went upon his mission of inquiry; and, as might have been expected, recommended at its close a Permanent Settlement of the Land Revenue, as the best device he could hit upon for mitigating famines in the future. The error which Colonel Smith made was plain. Under their thirty years' leases, he said, the people had grown so wealthy that they stood up well under the famine: only make their settlement perpetual, and they will encounter future famines without fear. It is amazing that so palpable a *non sequitur* should have affected Lord Canning's Council as it did. That it is not the *permanency* of the settlement, but its *pressure*, that must determine the status of the cultivator, is as clear as the noonday sun, if men look at the subject without spectacles. A permanent rack-rent will impoverish a people (just as Bengal is now impoverished*) more surely

* No single consideration, perhaps, has had so much weight in this disastrous change, as the general belief that Bengal has grown wealthy under its Permanent Settlement. That belief, so sedulously fostered by Bengal civilians and Bengal newspapers, and so long accepted as true, has now, I believe, been exploded everywhere, except in the columns devoted by the *Times* to the letters of its Calcutta correspondent. Instead of being enriched by its settlement, the province has been absolutely *beggared* under it. There is not a district in India at this moment, in which the masses of the people are not well-to-do, when their condition is compared with the hopeless, abject poverty of the masses in Bengal. I must refer the reader who would like to satisfy himself upon this point to "The Indian Land Question: a Timely Warning" (Smith, Elder, and Co., 1865). In India itself there is no longer any doubt upon the subject. The only province of the country, really rack-rented, is Bengal, under the frightful system of sub-letting to which the Permanent Settlement has given birth there. It is impossible to use language too strong to describe the hopeless condition of that province. We have beggared the ryot, that we might raise up a race of dissipated, selfish, rack-renting landlords upon the soil. Mr. Marshman, the former editor of the *Friend of India*, tells us that "the condition of the Bengal peasant "is almost as wretched and degraded as it is possible to conceive; living "in the most miserable hovel, scarcely fit for a dog-kennel, covered with "tattered rags, and unable, in too many instances, to procure more than

than a thirty years' one. The fact was that the assessment was not only very light in the North West Provinces—as it now is everywhere—but that the great rise in prices of late years had reduced it to almost a nominal impost. That it was not necessary to give the North West Provinces a permanent settlement, Colonel Smith told us himself in that report, when he said that the average selling price of the cultivators' holdings throughout the province was 22 years' purchase of the assessment! And they would have been much more to-day. In the Bombay Presidency these leases command almost fabulous premiums. But Colonel Smith's recommendation unhappily fell in with the temper of the times. Calcutta was in a ferment about the *land*. A very weak man—I don't mean Mr. Laing—was at the Viceroy's elbow, and, as I have already said, the determination was come to to settle the land revenue in perpetuity throughout those provinces, while the Government had not sufficient information in its hands to settle, as I have already said, even the bazaar duties of a village. I mean, Sir, *exact* information. For we have no statistics whatever in India; and it was not until after this frightful error had been resolved upon, that men began to become aware of what the real pressure of the land revenue was.

Great stress, Sir, was unhappily laid upon the opinion of Sir John Lawrence. Well, Sir John Lawrence told us that we had better settle the land revenue in perpetuity, because the teaching of his long experience had been that the Government was never able to increase the assessments, let them be revised as often as they might. The simple answer to this was, that Sir John Lawrence's experience was that of a past generation. During the first fifty years of

" a single meal a-day for himself and family. The Bengal ryot knows " nothing of the most ordinary comforts of life. We speak without " exaggeration when we affirm that, if the real condition of those who " raise the harvest, which yields between three and four millions a-year, " was fully known, it would make the ears of every one who heard " thereof to tingle."—R. K.

the century, the agriculture of India was very much depressed, owing more to the change of administrative system we had everywhere introduced than to any other cause. With prices constantly falling, it was not very wonderful, I think, that Sir John Lawrence's experience was what it was. But what of a period of such giant enhancement as has set in upon us, within the last few years? Why the saleable value of the land of India within the last ten years has been quadrupled; and in utter oversight of this revolution, Sir John Lawrence bids us be guided by his experience as a revenue officer, acquired under a totally different condition of things, twenty-five or thirty years before.

Let me point out to the Chamber how vital a bearing the Permanent Settlement has upon the great question of public works in India. You must remember that we are taking from the land the merest fraction of its true rent. We take no more than we absolutely require for the administration of the laws, and the maintenance of Government. The popular idea in this country—and it is shared, I regret to see, by the *Times*—is, that we are acting as landlords towards the agricultural classes, and have, therefore, all the duties of landlords devolving upon us. But we are doing nothing of the kind. We have not a tenant, as a rule, who is not occupying at a quit-rent. We take no more from the land than is absolutely required to defray the expenses of the State. What the true rent of India amounts to it is impossible to say, but it cannot fall far short of £80,000,000 to £100,000,000 sterling a-year. Now the Permanent Settlement abandons in perpetuity to the cultivator, what every Government of India before our own, has held in trust for the general Commonwealth—viz., the whole margin that lies between our assessment of £20,000,000 and this vast sum of £80,000,000. Well, if we are to do this, if we are to abandon absolutely, instead of merely holding in abeyance, our rights as landlord, we must, of course, instantly cease all expenditure for improving the land. For where is the money to come from? Having already con-

ferred upon the cultivator an enormous proprietary right in the soil, which neither he nor his fathers knew, are we next to tax the urban classes of the country to give him roads, and railroads, and irrigation works, and canals?

Every shilling that has been expended by the State on works of improvement in Bengal since 1792, has been a plain fraud upon the rest of India, because we abandoned in that province, in that year, all right to share in the improved value of its soil. Are not these considerations plain even to a child, when fairly placed before it? And yet within the last eighteen months, the same folly has been perpetrated in the North West Provinces, while the Government still professes to dream of a great expenditure upon public works therein. Does not such folly justify the alarm I express? Tell me, Sir, who should make the great public improvements required at this moment in Bengal—the State, or the zemindars, to whom the State has abandoned nearly the *whole* rent of the province? All that we take therefrom is between three and four millions a-year, while the true rent does not, I am persuaded, fall short of £12,000,000 to £20,000,000 a-year! The total stoppage, then, of all public works in the country, is the necessary sequence of this Permanent Settlement folly; a result which its supporters, from Sir John Lawrence downwards, have completely overlooked. The height of their statesmanship is an income-tax upon the cities, to construct public works for the zemindars!

As to waste lands for the growth of cotton, the question is really more one of *labour* than of *land*. Mr. Cassels has told you this morning, and told you truly, that every acre of cotton ground in the Bombay Presidency is already under cultivation. We have no cultivable waste lands in our presidency except in Khandeish; and the cultivation of Khandeish is a question of *labour*, not of *land*. The soil of the province is well adapted for the growth of cotton, and Khandeish was formerly one of the most fertile districts of Western India. The province was devastated, however, by Holkar in 1802, and has since become a jungle so deadly, that it is impos-

sible at certain seasons of the year to pass through it. Well, Sir, how are you going to cultivate Khandeish? I am certain that if you Manchester gentlemen will form a Company to lease half the province, the Government will give you almost any terms, short of total alienation, you may ask for. But I should myself be very sorry to take shares in your company.

I will tell you what would be the result of the enterprise. With great difficulty you would get together a body of cultivators perhaps 500 strong; you would cut down the jungle; break up the land; build your coolie lines; put in your cotton seed—and what then? The sickly season comes round, cholera breaks out in your lines, and within forty-eight hours, there would not be a coolie within fifty miles of you. This is no fancy picture, gentlemen, to scare enterprise away from us. It is the constant, everyday experience of planting in India, except in some highly-favoured districts; and do you think a Breach of Contracts Bill would keep your coolies on the estate, in such circumstances? I confess, for myself, that I despair of seeing the waste lands in the plains of India cultivated, except in the way in which they have ever been encroached upon. Under peaceful government, and with a steady and remunerative demand for their produce, the villages in the neighbourhood of these wastes, will steadily, but, in the nature of things, slowly, grow upon them, and bring them under cultivation. I have no faith in costly, spasmodic efforts to reclaim them. As a rule, labour already is so scarce in India that the procuring it is the chief difficulty of the tea and coffee planter; the popular belief in this country that India is a land burdened with a surplus population being untrue. There are districts of the country densely populated, no doubt, but any one who has once tried the experiment of inducing an Indian community to migrate from one district to another, will think twice before entering upon such an experiment a second time.

I do not think I need spend much time, Sir, over the

next subject on your list, as the Indian Government has, to a large extent, anticipated your wishes thereon :—

The Enactment of a Law providing for the Registration and Enforcement of Contracts, and the Establishment of Small Cause Courts, at convenient distances throughout the country, invested with Summary Jurisdiction.

Mr. Cassels has already told you that an Act for the Registration of Contracts was passed in India nearly eighteen months ago, and that the experiment of Small Cause Courts is now being tried on a somewhat extensive scale in the interior. I think it right to say on this subject, that while I strongly opposed the Breach of Contracts Bill—which this Chamber was so anxious to see adopted—I was the only journalist in India, I think, who attempted to give shape to its wish for a Registration Act. Such an Act has now been passed, and I need, therefore, say no more about it. It is necessary for me, however, to point out to this Chamber certain considerations affecting the Small Cause Courts experiment, which I feel satisfied have escaped your notice. You must not forget, gentlemen, that the system of protracted litigation, and of "appeals" in India, arises out of the untrustworthiness and incompetency of the subordinate courts. The right of appeal is simply an admission that we know the inferior courts to be incompetent. Well, the material we have to work with is still the same. You cannot *improvise* judges, as you may police constables, and there is great danger, in the establishment of these Small Cause Courts, of our handing whole districts over not only to summary, but to thoroughly corrupt, administration. A Small Cause Court without appeal, may work exceedingly well in the presidency towns, where its every judgment is liable to sharp comment in the next morning's papers, and where everything is done in the light of day. But what of the interior, where we are now establishing them, where no sunlight reaches, and where neither press nor public exists? You make too little allowance, Sir, in this

country, for the difficulties under which the law is administered in India. A few months ago an article appeared in the *North British Review* upon "The Administration of Justice in India," from the pen of Mr. Justice Campbell, of the High Court of Calcutta, one of the barrister-civilian judges of India; and, with your permission, I will point out, in this gentleman's words, the dangers which beset the experiment upon which we have entered at your wish:—

"The evils of protracted litigation, and appeal on appeal, "have long been acknowledged. To cure this was devised the "system of Small Cause Courts without appeal. Now in "many respects such a system has great advantages, but it is "tried under most difficult circumstances. And two things "seem essential to the exercise of unchecked power—*first*, men "fitted to fill the post of judges, and, *second*, the control of "public opinion and the publicity of the press. It is "under those conditions that Small Cause judges work "in England. It is otherwise in India. Government having "determined to try the Small Cause system in Bengal, "at once appointed a number of Small Cause judges and "posted them alike in town and in rural districts. These "courts have very great powers; in proportion, far beyond "those of English Small Cause judges. They try absolutely, "and without appeal or supervision of any kind, all personal "actions of every description up to Rs.500, which is quite "equal in proportion to value of money to, say, £300 in "England. Two or three good judges, placed in large towns "under the public view, have, we believe, done much good. "But, for the rest? They are, for the most part, the old "judges of the old courts transformed under a new name, "with a sprinkling of Europeans taken from the lower walks "of the law, but with very little knowledge of the country. "The great difference, then, as compared to the old system, "consists in the absence of appeal.

"Is it to be hoped and expected, that the same judges, "whose proceedings were superficial and indifferent when

"they knew that they were subject to the supervision and "criticism of the appellate courts, will be more careful, "searching, and thorough, when they are relieved from all "control, and set down in rural districts, where public opinion "can scarcely touch them? We much doubt it. More than "this, there is some political risk to be considered. These "summary courts are essentially plaintiffs' courts. In a "country, and under a system, in which evidence is no-"toriously untrustworthy, and documents are supposed to be "generally forged, this condition obtains. The plaintiff "chooses his time for the action, not the defendant; he has "abundant leisure to prepare his documents, cook his evi-"dence, and get ready his case. Suddenly he comes down "in a summary court on an unprepared defendant: the "*primâ facie* evidence is all on his side, and if the judge be "disposed to get through his business in a rapid way, a heavy "decree is passed, the execution of which will sweep away "many precious rights (perhaps preserved through a lifetime "of litigation) before the defendant has breathing-time.

"It has always been popularly said among the natives, that "ours is the Government of the shopkeeper and the money-"lender. We hear that there are signs that this feeling is "much increased by the action of some of the Small Cause "Courts. We remember the cause of the Sonthal rebellion. "May not similar causes lead to dangerous results else-"where?"

I need add nothing to this statement, Sir. I have read it simply to show the Chamber that the reforms which it solicits, even where practicable, are beset with dangers which it very rarely, if at all, discerns.

I come now to the *Breach of Contracts Bill*, about which so much has been said and written. Well, what is its history? Mr. Laing told you it was a bill brought into Council in the interests of the cotton-grower; but Mr. Laing's memory was at fault. I have here with me the history of this measure, from a period long before Mr. Laing's arrival amongst us. The *Times of India* gave the bill the

most strenuous opposition throughout, and I rejoiced to see it finally shelved. Remember, gentlemen, it is no Government official who is speaking now, but one of those very men in whose interests it was to be enacted. I say, Sir, that the bill, from first to last, was purely an indigo planters' bill. You will remember, no doubt, the Honourable Mr. Eden's proclamation, which led all the ryots of Nuddea and Jessore to rise up as one man, and repudiate the contracts they were under to grow indigo. Now, you have a very scandalous story in this city, as to the true occasion of that proclamation. I know not whether that story is true or false; and it matters little which it is; for, under any circumstances, the quarrel between Mr. Eden and the planters was a most fortunate accident. For nothing is more certain than that the very name of the indigo plant has stunk in the nostrils of the people of Bengal for the last fifty years; and no wonder, for the whole system of indigo planting, as it is improperly called, was a scandal to the English name. Several of the Calcutta newspapers, I am sorry to say, have tried to whitewash the system, and I must, therefore, go at some length into it. Now look, first, at the conditions under which the indigo planter sets to work. The first thing is to find a tract of land suited for the plant, and to discover the owner of it. The land is found, and the planter is told that the zemindar, in whose name it is held from the Government, is Gunesh Moraba; but Gunesh has sub-let it to A, and A has sub-let it to B, and B to C, and that the present holder of the lease is D. In other words, the land is already rack-rented to the last farthing. That such, Sir, is the present condition of Bengal under its vaunted Permanent Settlement, we have the testimony of the *Friend of India;* a journal that has done its best, remember, to sustain the cause of the indigo planter. Here is that journal's description of a Bengal county: "Between the zemindar and the actual cultivator there are "four middlemen, as a rule, each of whom has his profit; and "worse than these four, while he is their necessary result, is

" the money-lender. We have seen that the average rental " paid by the landlord to the State is 6-9½ annas per acre. " As the actual cultivator pays an average in kind to rent-free " landlords of Rs.4-8 per acre, the difference between that and " 6-9½ annas represents the profits spread over four middle- " men and the landlord. To be able to pay that rent, the " peasant borrows seed from the money-lender at from 24 " to 50 and 100 per cent., according to the security."

Now, Sir, it is upon this condition of things that indigo planting in Bengal, supervenes. Having ascertained who holds the lease of the land upon which the planter has cast his eye, he applies to him to know upon what terms he will transfer it. The man, who is already screwing all he can out of the wretched tenantry, knows perfectly well what the land is wanted for, and makes his bargain accordingly. "I am getting," he will say, "Rs.1,000 a-year from the land; if you will farm it for Rs.13,00 it is yours." The bargain is struck, and now the indigo planter has become the landlord. Can you conceive any position more unhappy than that of the ryot?

Having obtained the lease, the indigo planter is quite content to allow the ryots to occupy at their old rental; *only* they must purchase that privilege by growing indigo upon such lands as the planter points out; and FOR NOTHING! For that is what the thing comes to, as was shown by the report of the Indigo Commission. And I mean by that, Mr. Fergusson's report; and Mr. Fergusson, you know, was the planters' representative on that Commission. Can you wonder, gentlemen, that a system such as this did not work well; that the ryot groaned under it, and was beggared by it? Look at the fearful powers possessed by the planter as landlord. If the ryot, although already rack-rented, refused to grow indigo, he was liable to be driven from what had been his father's home for a hundred generations, by a notice of enhancement of rent which he could not possibly pay.

And this is the true history of the Bengal Rent difficulty, of which you have heard so much. Armed with

powers which Lord Cornwallis never dreamed he was giving to the zemindar, the planters, within the last five years, have served notices of exorbitant enhancements of rent by hundreds of thousands upon their tenants, and when the Law Courts broke down under the pressure, these gentlemen complained of their inefficiency. Lord Cornwallis so little foresaw to what his Settlement would lead, that in his Minute of Feb. 3, 1790, he treats Mr. Shore's supposition that such enhancements would ever be attempted, as preposterous. But we have seen them not only attempted in our day, but positively upheld by no less an authority than Sir Barnes Peacock, who unhappily seems to have got tinged with this indigo quarrel. When Sir Barnes Peacock's judgment appeared I did not hesitate to declare it to be an outrage upon the ancient law and custom of India; and I have had the satisfaction, within the last six months, of seeing that judgment reversed by the unanimous verdict of the whole thirteen judges of the High Court of Calcutta.*

* The right of the cultivator in Bengal was possession of his field, at the rate per beegah at which it was assessed *at the Permanent Settlement.* Nothing is more certain, than that Lord Cornwallis intended the Settlement to be as permanent between the zemindar and ryot, as between the State and the zemindar. "Whoever cultivates the land "[Minute, February 3, 1790] *the zemindar can receive no more than the* "*established rent.* To permit him to dispossess one cultivator, for the "sole purpose of giving the land to another, would be vesting him with "a power to commit a wanton act of oppression. . . . *The rents of an* "*estate can only be raised* by inducing the ryots to cultivate the more "valuable articles of produce, and to clear the extensive tracts of waste "land which are to be found in almost every zumeendary in Bengal.' What can be clearer than these statements? Lord Cornwallis supposed that he had effectually secured the ryot from enhancement of rent, except in cases where a more valuable article of produce than rice, or grain, came to be grown in his fields, when the zemindar would be entitled to receive one-third, or whatever was the established rate, of the new and more valuable produce instead of the old. The *Friend of India*, with curious inconsistency, but with truth, declared the judgment of Sir Barnes Peacock likely to create "an agrarian rising," and to make the Englishman as hated in Bengal as

But an enhancement of rent, gentlemen, was not the object of the planters. Indigo was what they wanted, and, therefore, power to compel their ryots to grow it; and it was out of this want that the Breach of Contracts Bill came. For that bill merely made perpetual Act XI. of 1860, a summary Act passed for the enforcement of indigo contracts for six months only, pending the inquiries of the Indigo Commission. The Commission brought its labours to a close with an emphatic condemnation of the whole system, and Act XI. expired by effluxion of time. The ryots to a man refused to have anything more to do with indigo; when the planters served them, as I have said, with hundreds of thousands of notices raising their rents tenfold, while they simultaneously be-

he was in Tipperary. And yet the decision simply confirmed to the planter, the very rights which the *Friend of India* had been demanding in his behalf for many months before. It now found out that so contrary was the decision of the High Court to the people's sense of justice, that the attempt to enforce it would end in making the Englishman "as hated in Bengal as he is in Tipperary." But the indigo planter was a wiser man than the *Friend of India* supposed him to be. All he wanted was power to compel the ryot to grow indigo upon the old terms, which would pay him better than any rent it was possible for him to exact from his tenantry. And so this mischievous decision of Sir Barnes Peacock was used merely to force the ryots back into the slavery, from which we hoped they had been emancipated. After the judgment, we were told that the ryots were now "willingly" entering into contracts to sow indigo, on condition that their rents were not raised more than four annas a beegah. The willingness must have been very cheerful, no doubt, when the alternative was an enhancement of rent from five annas to five rupees a beegah. The new contracts, as I learned privately from Calcutta, were being made *for ten years at the old rate of six bundles for the rupee.* The ryots were to cultivate at this rate, and pay more rent besides; and a penal Contract Law was much wanted to enforce these "willingly" signed agreements, although Mr. Fergusson, as the representative of the planters, had reported that "large concessions must be made at once." The planters pretended all through the dispute that the rent struggle had nothing to do with indigo: it was simply a new phase of the old quarrel.—R. K.

sieged the Government to make Act XI. perpetual. They knew very well the screw they could put upon the ryot to force him into contract with them for the hated *neel*, and all they required was a summary penal Act to enforce the contracts so compulsorily made. Now that is a plain, unvarnished account of the origin of the Contracts Bill. Reluctant to see the indigo culture of Bengal destroyed, and yet conscious that a penal bill merely to enforce indigo contracts, would be little short of an indecency, the Government of Calcutta kindly assured the world that cotton-growing, and sugar-refining, and coffee-planting, and all other European enterprise in the country, wanted the protection of such a bill. Sir, it was an unworthy pretence on the part of that Government. I, as a coffee-planter, and the employer of 500 natives of India, utterly repudiate the want of such a measure. But the mention of cotton-growing struck a chord that vibrated, unfortunately, in Bombay, and so the agitation spread to our side of India, and then Manchester took fire. Now, Sir, the short and easy proof that the bill was an indigo bill, and nothing but an indigo bill, is this: that it contemplated, almost exclusively, a description of contracts unknown for years in the cotton-growing districts of Bombay. Great stress has been laid, Sir, upon the Honourable Mr. Scott's statement of the difficulties which his firm (Messrs. Ritchie, Stuart, and Co.) had found in the cotton districts, for want of a summary Contract Law. I have the greatest respect for Mr. Scott, but it so happened that Messrs. Ritchie, Stuart, and Co.'s experience was then ten years old, and that the whole procedure of the Civil law had been changed in 1859, and had been made as summary as Mr. Scott, I think, could have wished. Did I not fear trespassing too far upon your patience, I would read to this meeting what remedies the Civil Code of 1859 already provides upon the subject; and it is a suggestive fact, that throughout the debates in Calcutta upon the bill, there was not the slightest attempt to show that the very summary procedures of that Code had been tried and failed. Again, Sir, we had but just

codified, after thirty years' deliberation, our whole Criminal Law ("Macaulay's Code," as it is called). Now this very question of indigo contracts had come up before the Commission that framed that Code, and after full deliberation they had pronounced against the making the breach of those contracts penal. And are you prepared to tell us, that to support such a system as I have described, we are to crowd our statute-book with new penal laws, lest we should discourage European enterprise? How is it, Sir, that I, a planter, want no penal Contract Law, and have never wanted one, while the tea planters of Assam and Cachar have constantly been calling upon Government to help them against their coolies? The labour contract difficulty is of the same order as the indigo difficulty: it arises from the fact that the planter does not make it worth the coolie's while to stay on his estate. If you go down into the rice plains of Bengal, and tempt coolies with six months' advance of pay to follow you up into the hills, where they will want better housing, better food, and better clothing than below, and expect them to stay there, while you pay them no more than they obtain in the plains, you are rightly punished when they escape from your estate, and defraud you of your advances. Sir, the Government cannot healthfully interfere in such quarrels. Let the planter make it worth the coolie's while to stay upon his estate, *and treat him considerately*, and he will stay. Human nature is pretty much the same, all the world over, according to my experience; amenable to the same treatment, and influenced by the same motives. Unfortunately, the planters of India hitherto have in general been needy men. It has been a struggle with them to get their estates opened at all; and while you may legitimately sympathize with their difficulties, you cannot legislate exceptionally in their behalf. I am heartily glad that we are to have no penal Contracts Bill in India, either for indigo, cotton, tea, coffee, or anything else; and I am sure that in agitating for such a measure you are not well advised. Allow me to remind you once more that I have at

this moment nearly 300 people at work on the Neilgherries, and I suppose between 200 and 300 in the *Times of India* office at Bombay, without the least necessity for such a law. You will get troublesome labourers, sometimes, in India, as everywhere else, but I have an old-fashioned belief, that upon the whole you will find good masters the slowest to make complaints about bad workmen.

The last subject on which you invite this meeting to express an opinion is—

"*The more active prosecution of Public Works in India, especially as regards Roads and Irrigation.*"

Now, I agree cordially with every word that has fallen from previous speakers as to the importance of the more active prosecution of public works in India. But half the mistakes made in this country with respect to India arise from the difficulty of grasping adequately the magnitude of the country; and so it comes to pass that the handful of Englishmen who form the Government of India are perpetually "talked at" upon this subject of public works, as though it were possible to take that great empire up, and manipulate it as you would the county of Lancashire. India, Sir, is a great continent; a continent of many nations, and of vast extent; and it is almost impossible for any mind, however familiar with the country, to understand aright how vast an undertaking is the simultaneous prosecution of public works throughout the country. The task of the Indian Government is like that which would lie before the Government of this country, were the public works of all Europe suddenly cast upon its responsibility. What the full import of this last proposition of yours is, would then, perhaps, be discerned. Were the English Government, I say, charged with the responsibility of perfecting not only the vast railway system of Europe, but the construction and repair of all the roads and canals, and civil and military buildings of two-thirds of the continent, you would then understand better what our re-

sponsibility in India involves, and how absurdly incommensurate therewith have all our efforts hitherto been.

And here, gentlemen, once more, I am obliged to state my conviction that it is not the Government of India so much as this Chamber that is to be blamed for the little that has hitherto been done. For I am entitled, I think, to regard the late Mr. Wilson as the representative of this Chamber; and it was Mr. Wilson, who, amongst other errors into which he fell, first laid down the doctrine that India alone, of all the nations of the earth, must not borrow. The rule that India shall provide whatever public works she stands in need of, out of her current revenues —her driblets of savings from income—lays, of itself, an effectual prohibition upon the prosecution of public works in the country on any adequate scale.

It matters not that India is one of the poorest countries in the world, nor that you, the richest of them all, are constructing your very fortifications out of borrowed money—India must *not* borrow. If she wants roads, or tanks, or tramways, or canals, she must either go without them, or contrive to build them out of import duties, or perhaps an income-tax—falling with confiscatory violence upon 300,000 people for the benefit of 180,000,000—or out of export duties upon the produce of her plantations. At all events, she is not to be allowed to borrow money for the purpose, however willing foreign capitalists may be to lend it. While all other countries may borrow of you as freely as they please, the Indian Administration may not do so. There is not a Government in existence that may not borrow money on your Stock Exchange, even for purposes of war; while the Government of India is not allowed to borrow a sixpence, even for the construction of roads, or irrigational works. The special leave of Parliament has to be obtained for the purpose, although the same Parliament repudiates all liability for the Indian debt. We are not merely refused the Imperial guarantee—the withholding of which our credit might perhaps survive—but we are forbidden to borrow even upon the credit of our own revenues.

Does it require an elaborate argument to prove that it is false economy in any country where money is worth in trade 20 per cent. per annum, to levy taxes therein for works of public improvement, when the Government may import capital for the purpose as freely as it pleases at 4 per cent. ? India is your possession, and you cannot do better than invest your overflowing capital in the property. Her safety and wellbeing and your own, equally point to this conclusion; while, as the case now stands, every country in the world may come to you for assistance except India. Not one shilling are we allowed to borrow, but under special Act of Parliament, to be obtained only at the cost of a party demonstration in the House. The result is, that India may starve before English Ministers will help her. She is thus forced to construct her public works out of revenue, and there is a constant recurrence of a seeming, though not real, deficit in her accounts.

Now, Sir, this is not the result of misgovernment in India, but of your mischievous interference with our affairs. We do not ask you to be answerable for our debt—which, by-the-bye, I will show presently to be *your* debt, and not ours—but we do ask you to cease this unheard-of interference with our national credit. There is not an empire, or republic on the face of the earth that may not borrow as freely as it pleases in your money market, upon whatever crêdit it possesses; while India alone, of all nations and of all your colonies and dependencies, is shut out therefrom by your legislative wisdom. Do you think that the capitalist is not well able to see for himself whether the credit we offer him is sufficient ? As if for the very purpose, moreover, of destroying our credit, you insist year after year upon our accounts being presented to the world in a shape utterly misleading, and most damaging to us. The English press is never tired of affirming that the Indian balance-sheet shows a chronic state of deficit, while there is not a balance-sheet in the world that will compare in respectability with our own, if you will but make it out as you take care to make out your

own balance-sheet. The fact is simply this, that our yearly accounts are made out upon a principle that renders it matter of mere caprice whether our deficit is one million or twenty millions. The ordinary revenues of the year are charged with an indefinite expenditure upon public works, the outlay upon which would be met in any other country by loans. It depends, therefore, upon the mere caprice of the man who happens to be the Finance Minister you have sent—in other words, upon his estimate of the public works expenditure of the year—whether there shall be a deficit in the accounts of one million or ten. Is it not a grievous wrong that our accounts should be annually presented to the world, in a shape to convey the impression that it is with difficulty we meet our current expenditure, when the fact is, that we have an immense surplus available year by year for investment in reproductive works?

For many years past, we have been contriving, not only to pay our way, but to spend from £6,000,000 to £8,000,000 sterling a-year upon public works in the country. This has been all done out of taxes, be it remembered. A vast proportion, about two-thirds of this outlay, has been on reproductive works, while it is all treated in the accounts as though it had been cast into the Dead Sea of current expenditure. I have been insisting upon this fact for years, and Mr. Laing recognised its truth when he told you in his pamphlet that "our large expenditure in public works is really a sinking fund admirably invested." Well, whose fault is it that we have been able to spend no more? Is it *our* fault, or yours? Shut up to the narrow resources of our current income to meet the urgent wants of a vast empire, we have done our best to overtake them, while you have done nothing but taunt us that we have not done more. Do you think it was a wise thing, after all, for Mr. Wilson to lay 20 per cent. import duties upon us, and an income-tax,* that the proceeds might be spent upon railways,

* I must not be misunderstood about this income-tax. I have not the slightest objection in principle to an income-tax in India, if only

and canals, and roads, when we could have borrowed as much money as we required, had we been allowed to do so, at 4 or 5 per cent. for the purpose. The great want of India is imported capital to quicken the languishing springs of her industry, while in your philanthropy and wisdom you dam up the stream of wealth that fertilises all lands but India, and which would flow to India also, if you would allow it.

But I have not yet done, gentlemen. If ever a Government was required to make bricks without straw, it is this unhappy Indian Government of ours. You insist upon our constructing what public works we require out of taxes; you refuse us all assistance in the shape of loans; you taunt us with the meanness of expenditure; and, last of all, abuse us for levying taxes at all in the country—for it really comes to that.

For against which of the Indian taxes have you not, at one time or another, raised a clamour? To-day Mr. Danby Seymour is here denouncing the land-tax, as an impost that crushes all enterprise out of the country. Mr. Dickenson has had his fling at our "abominable stamp-tax;" as for Customs duties, you "cannot away with them," while our opium and abkarree revenues are denounced by all the philanthropists of the land. What, in the name of common sense, then, is the Government to do? Was there ever perversity so deep in dealings with affairs so momentous? You carp at everything; you suggest nothing; you button up your pockets, and give us incessant abuse.

Against each of our resources, I say, in turn has all the

it be imposed for legitimate purposes. Mr. Wilson's income-tax was levied to meet a giant Public Works expenditure, and was, therefore, a plain act of confiscation. But I am not at all prepared to contend that it might not be wise and just to lower the salt-tax one rupee per maund, and to make up the deficiency by an income-tax. An income-tax for the current expenses of the State is just enough; for Public Works to improve the land, when the public have no longer any interest in that land, it is monstrous. The policy, or impolicy, of such a tax in India at all, is another question.—R. K.

force of uninformed clamour been brought to bear in this country. Twelve or fourteen years ago, a great outcry was got up against the salt-tax, which was denounced in every note of the gamut, from the shrill treble of "small economists," dogmatizing upon a state of matters of which they were ignorant, to the deep bass growling of the leading English journals. Many of you gentlemen must remember the torrent of abuse John Company had to endure from the lungs of honest John Bull, who had taken it into his head, at the suggestion of the Cheshire salt manufacturers, with Mr. D. C. Aylwin at their head, that the salt-tax was all that the land-tax is now represented by Mr. Danby Seymour to be. For half-a-century had the impression been cherished, that the salt-tax was "a great iniquity." The manufacture of the salt was "a monopoly," and a monopoly is a very odious thing. The tax was declared to be a species of poll-tax, and a poll-tax is a very odious thing. The effect of the tax was to deprive the poor man of the amount of salt absolutely necessary to keep his body from being shrivelled and dwarfed into the size of a monkey. And then those "wretched Molungees," whom the Moloch of a Government forced to manufacture the salt in the Soonderbuns—how much doleful lamentation was uttered by indignant philanthropists on behalf of the "miserable Molungees." Your very penny-a-liners almost became familiar with the name and woes of the class. Upon the whole, it required a good deal of courage to say a word in defence of the salt-tax, in the presence of non-official Englishmen, only twelve or fourteen years ago. It was at last found out that the tax was not so bad a tax after all, being about the only tax that reached the masses, while of the smallest possible amount to those whose means are in proportion small. It is a tax paid, moreover, in a manner that is, at least in appearance, voluntary, and levied in a way that is free from inquisition, and collected with less expense and greater certainty than perhaps any other could be. And so public opinion, better informed than it was, became so reconciled to the tax that its pressure has been

gradually increased with general approval, until the revenue we derive therefrom has reached the immense sum of £6,000,000. And is there nothing in all this suggestive of a doubt, that the present outcry against the Indian land-tax may be of no better order?

I care not whom it offends when I say that the agitation against the land-tax of India is begotten of selfishness and ignorance; an ignorance so disgraceful to the official men who share it, that its exhibition deserves the severest handling it may get. Had we not a right to expect that the very first step of the opponents of the tax would be a painstaking and exact inquiry into the pressure of the tax, upon the classes who are declared to be crushed by it? And yet there has not been a writer against the tax down to Mr. Danby Seymour and Mr. Dickenson to-day, that has not *assumed* that it is "a rack-rent of half the produce of the ryot's fields." Many of them have explicitly affirmed the statement, and it has been repeated from mouth to mouth, till it is now as generally believed as was the salt-tax ten years ago believed to be "a giant iniquity." Gentlemen, I do rejoice to be brought face to face this day with this folly, and however unpalatable these statements may be, I do trust that India may derive some benefit from them in the future.

The reforms that are required in the matter of our Public Works expenditure are plain. You must abandon the position that India shall not borrow, and in place of it encourage its Government to come freely to your capitalists for all the wants of that great empire. Its prosperity is *your* prosperity: and a wise and unselfish administration of its affairs will react upon the wealth of this nation in a way little hoped for now. Then there should be an immediate separation of the Public Works expenditure of the country, from the Budget Estimates of the year. Instead of jumbling up together our outlay upon railways and canals, with the cost of administering the laws of the country, the accounts should be separated at once and for ever.

Let our balance-sheet show every year what our real surplus is, and let an exact account be registered of every item of expenditure upon public works of a reproductive nature. The Indian Finance Minister of the day need have nothing to do, necessarily, with any outlay upon public works, except such as is legitimately chargeable to the current revenues of the year. This expenditure of itself is very heavy, comprising the cost of all repairs of existing works, civil and military buildings, &c. For the rest, we ought probably to organize a great Public Works Department in the country. And let us take care that it is not too centralised. The cavalier manner in which urgent applications from the Bombay and Madras Governors for money for the most necessary public works, have been treated must end. Calcutta must not be allowed to dogmatise upon what Bombay, or Madras, or the Punjab, shall do or shall not do. It has enough work before it in Bengal; let it stick to it. That some such changes as I have here hinted at must be inaugurated before public works in India will be prosecuted upon the right scale, and in the right way, I think there can be no doubt.

I have detained you too long already, gentlemen, but I must be allowed to take a hurried glance at our Railway expenditure in India, before I close. The total amount, then, expended upon our railway system, as far as it has gone, up to the close of 1865, is about £75,000,000, of which sum about £60,000,000 was contributed under the guarantee, and the remaining £15,000,000 advanced out of Indian taxes, in payment of the interest guaranteed to the shareholders and in railway exchanges. The total outlay, I say, upon the Indian railway system from its commencement down to this day, a period of seventeen years, is about £75,000,000 sterling, and towards this sum the capitalists of this country have contributed the greater part of the £60,000,000 raised under the guarantee. The nett amount of capital India has received, however, has been no more than £45,000,000, since £15,000,000 of interest and ex-

change have been returned to this country, out of taxes, in the payment of guaranteed interest and exchange. We have thus paid back to England £15,000,000, while we still owe her an undiminished debt of £60,000,000. All the *risks* of the enterprise are our own, and the investment, in so far as England is concerned, must be held to be a highly advantageous one. For a very large amount of this capital has been spent upon English industry. Of the £60,000,000 we owe, no less a sum than £22,000,000 was paid to English machinists, ironmasters, engineers, and shipowners, for permanent way, freight, rolling stock, &c., establishments, and how advantageous this arrangement has been to the country you, of course, are well aware. Your expenditure upon railway enterprise in India resolves itself, then, into this: that for the last seventeen years you have allowed the Indian Government to borrow, upon an average, £3,600,000 a-year, of which sum £1,400,000 a-year has been laid out on English goods, ships, &c.; nearly £1,000,000 a-year has been returned in the shape of interest, and exchange, because the system does not yet pay; and the nett balance, or a total sum of £23,000,000, has been actually expended in India itself. That is to say, the help which this great country, whose surplus accumulations of capital year by year are variously estimated at from £90,000,000 to £140,000,000 sterling, the help, I say, which it has rendered to India, amounts to the sum of $1\frac{1}{2}$ to $2\frac{1}{2}$ per cent. of the wealth you hardly know what to do with! For this advance you have the most ample security, and a dividend of 5 per cent.

And the Government of this wealthy nation declares, in its wisdom, that the system of guaranteed loan has gone far enough, and must now be terminated. Well, with this expenditure of £75,000,000 out of capital and taxes, we have contrived in seventeen years to open about 3,300 miles of railway. I will now tell you what English gold did for the United States of America, in ten years only, from 1851 to 1861. Without a guarantee of any kind from its Government, then, you so freely offered your gold to

America, that they contrived to open with your help upwards of 19,000 miles of railways in the States in those ten years, or nearly 2,000 miles a-year; and you think you have done great things for us, in aiding us to construct about *two hundred.* Sir, we must invest capital in India on a very different scale from this, if we would reap the harvest of wealth that lies ready to our hand in that great country. Deal with India in the open-handed manner in which you deal with other lands, and you will reap a return therefrom such as you have now little conception of.

Well, you have now seen the total actual expenditure of English capital on railway enterprise in India. Allow me, in conclusion, to draw your attention to the abstraction you make of capital therefrom annually. At this moment, then, what are called the Home charges of the Indian Government do not fall short of six millions a-year. Now, I speak the language of sober earnestness when I say that there is hardly an item in those charges, that does not admit of question as to its justice, either in principle or in degree. I must not weary you, however; and I shall refer but to two or three particulars therein. I remark then, first, that in those charges there is a demand annually made for the sum of £3,000,000, in payment of interest on the debts incurred in the prosecution of the Affghan War, and in the suppression of the Indian Mutiny. Now I speak within the hearing of men who are quite able to verify what I say, when I affirm that the large sum of money thus claimed is taken from India every year, by no law but that of might. Will it be contended seriously that the Affghan War was entered upon in the interests of India, or that India had any voice whatever, either in its prosecution or its close? It was a purely English war, undertaken by English statesmen in the teeth of the rulers of India, and in purely English interests; and so mistaken and so guilty was that war, that it has come to be called proverbially "the *iniquitous* Affghan War."

And yet, though India had nothing whatever to do either with its inception, its responsibility, or its prosecution; and

though the East India Company protested earnestly against the whole affair; you have fastened the whole cost of it, namely, £1,000,000 a-year in perpetuity, upon the people of that country. Do you think that the terrible sufferings of 1857 cast no light upon this transaction? Already the sum abstracted from the people of India on account of that war, does not fall short of the whole amount of your boasted expenditure upon Indian railways. You are at the present moment taking £1,000,000 sterling a-year from India for the cost of that iniquitous war; and you mean to take it still. Do you think the lapse of twenty years takes off the disgrace of the proceeding? I do not stay to notice the miserable pretences upon which the interests of India were sought to be linked with that war. Suffice it to say that it cost, directly or indirectly, £20,000,000 to £30,000,000 before its last traces disappeared from the Indian balance-sheet, and that you have unjustly fastened a perpetual demand of £1,000,000 a-year upon the people of India for its conduct—and you take care that they pay it.

Once more, under this head (and I remark parenthetically that it would be easy to show that the whole Indian debt is really an English liability, and not Indian) I point your attention to the fact, that you are exacting £2,000,000 more every year from India, and mean to exact it in perpetuity, it seems, for the suppression of the Indian Mutiny. And yet, what fact in equity can be more certain, than that the cost of suppressing that outbreak, should be borne by those by whose misrule it was occcasioned? Let it be well understood that there is no longer any controversy as to its causes. The English Government of the day was committed to a course of spoliation of high and low. On one pretext or another, our treaties with the native princes of the country were violated, that we might seize their possessions, while Enam commissioners were sweeping as with a besom all the private freeholds of the country into the Government treasuries. It was impossible all this while, remember, to secure a hearing for any remonstrance that came from India.

Every petition presented to either Lords or Commons was treated as so much waste paper; and when at last a rebellion occurred, you bound the whole cost of its suppression, to the last farthing, upon the shoulders of the people. But you reversed your policy, and signed judgment against yourselves for the debt in doing so.

What, I ask, had the loyal millions of Bombay, Madras, the Punjab, Sind, Nagpoor, to do with that rebellion, that they are now to pay its cost; while you, by whose misrule alone it was brought about, refuse to touch the burden with one of your fingers? Is it thus that this Christian people should govern the vast dependency whose finances are in its hands, as a trust? While you have been making your guaranteed outlay upon Indian railways of three millions a-year, Sir Charles Wood has been *drawing* three millions a-year to pay the interest upon debts, unjustly incurred in our name, because we are in your power. Do you think, if India was rightly represented in the British Parliament, this state of things would be allowed to last?

Before I dismiss this subject, let me ask your attention to a fact concerning the Mutiny debt, which is truly so disgraceful as to be all but incredible. It happened that a large part of this so-called debt of £40,000,000 was incurred just at the time when you were under the panic of a French invasion. There were no fewer than 100,000 troops in India at the period, the depôts of which, amounting to 22,000 men, were in this country. Well, all through that panic those depôts formed a most important part of your national defences, and your statesmen, and newspapers, comforted themselves with their presence here. Can you believe it possible, then, that the whole cost of their maintenance was thrown—as the cost of these depôts ever was thrown—upon the Indian Treasury, upon the pretext that the regiments to which they belonged were serving in India? Comment upon such a fact is superfluous. The cost of *your* defence was thrown upon the Indian ryot, and he is paying it to this day. And yet you are easy

under the impression that your rule of India is upright and commendable, and exactly what it ought to be.

I do not carry the subject further, or it would be easy for me to show that these so-called Home charges,* which have amounted in round figures to £150,000,000, since the commencement of the century, have been one of the chief causes that have retarded the progress of that country. India pays a heavy penalty, gentlemen, for the benefits of English rule. What the total capital annually abstracted from her under our giant system of *absenteeism* amounts to it is difficult to say; but it is heavy in the extreme, and tends terribly to her impoverishment. I need not tell you how different is the effect of taxes spent *within* the country in which they are raised, and taxes spent *without* it. It is the unavoidable misfortune of India that many millions a-year of her taxes, are sent therefrom to be expended in this country; and I cannot forbear the statement of my conviction that our national relations with that great empire are far from resting upon an equitable basis. The principle upon which all our financial relations with India have hitherto been conducted, is the assumption that England never had any interest in the acquisition of its rule, and has none whatever in its maintenance. I need not tell you how false that assumption is. A De Tocqueville, amongst foreigners, is lost in admiration of the fortune we possess in our great dependency, while the vulgar leaders of your press indecently threaten to "cut the Indian Empire adrift" rather than let her cost you one shilling. Do you not think, gentlemen, strong *primâ facie* evidence exists against the equity of your rule, in the fact that you may search the records of your Exchequer through, and fail to find there a trace even of the ex-

* India owes much to Mr. Laing, as the first English statesman who has had the courage to animadvert boldly upon the character of our financial relations therewith; and I regret deeply that I am obliged to differ from him on any question. It was Mr. Laing's attitude towards the Home charges, I believe, that was the real, though not ostensible, origin of the quarrel that drove him from office.—R. K.

istence of your Indian Empire. You have unlimited control of our finances. There is no man to rise up in Parliament, and question the equity or the justice of the vast abstractions you are making, year by year, from the treasury of India, without check or hindrance of any kind. You do as you please with that treasury. You ever have done so. Every charge that you could connect, however remotely, with the *name* of India, you have cast upon her. Instead of a scrupulous regard to what equity and good faith suggested, and a careful attempt to apportion the cost of maintaining the connexion of the two countries between them, upon the principle that each should pay according to the benefits it derives therefrom, you have made India pay the whole; you are still making it do so; and you mean still to make it do so.

The time is coming, gentlemen, when interpellations upon this subject will reach you from the native mind of India itself. It is not for nothing that the young men of India are pressing through the Universities, you have established in its chief cities. Their voices are mute now, for they know not political warfare; but the time is coming when you will have to give an account to the sons of India, of the trust so long confided to your hands, and, as I in my conscience believe, so inequitably used. Remember, if your treatment of your other dependencies is right, then is your treatment of India shamelessly wrong; and I would, from the bottom of my heart, that you awoke to this fact of yourselves. It is enough for me, that I have made a deliverance of my own conscience upon this subject.

When I regard attentively the intense selfishness of our rule in India; our deliberate refusal to pay one shilling for the important benefits we derive from that rule; and remember that India is one of the poorest countries on the earth, whilst we are estimated to be the wealthiest, I cannot but have misgivings as to our future. I cannot but fear that what we are wrongfully withdrawing from that country, will be exacted of us, to the last far-

thing, in national rebuke, humiliation, and suffering. I speak the more unreservedly upon this subject, because I know how extensively deep religious feeling pervades the north of England, and because, we are told by high authority, that it is from Manchester that the great political impulses of the day are flowing.

I would suggest that Manchester should petition for a Select Committee of the House, to report upon the following questions :—

1. The propriety of declaring every Port in India a Free Port?
2. The propriety of extending the Permanent Settlement throughout India, as sanctioned by Sir Charles Wood's Dispatch of 1864?
3. The propriety of that Settlement in the North West Provinces?
4. The propriety of mixing up the vast Public Works Expenditure of India with its current Revenue accounts, and of compelling its Government to construct Public Works of a reproductive character, out of Taxes, instead of allowing it to borrow money for the purpose, as all other Governments do?
5. The character of our financial relations with India, and the principles on which they are based?

NOTE.

Shortly after the Conference, a letter commenting thereon appeared in the *Times*, signed "A Colonist," illustrating very perfectly the want of exact acquaintance with our affairs, which I allege against the colonist party generally. The writer remarks :—

The Government of India, while boasting that it possesses a source of revenue which other Governments have foolishly alienated, has never understood that the privilege of collecting the rent of the land entails upon it the obligation of fulfilling those duties of a landlord which elsewhere are performed by private individuals. While maintaining the theory that the land revenue is only the rent, it has never scrupled to use that revenue as a tax to defray the expenses of foreign wars, or to relieve the wealthy commercial inhabitants of great cities from the burden of paying their fair share of the general taxation of the country. As a general rule, none of the money taken from the land was, till lately, spent on the land, and consequently, the backward condition of Indian agriculture presented a close parallel to that of Irish agriculture in those good old days in which absentee landlords squandered in foreign countries the rents they received from their properties in Ireland. Even still it is considered a work of grace, and not of obligation, for the Indian Government to spend money on public improvements, such as roads and works of irrigation; and so little did Sir C. Trevelyan last year recognise what the Government owes to the land, that he actually abolished the income tax—the only direct impost to which the commercial millionaires of India, the men who benefit most largely by our rule, contributed—because he could use the land revenue to supply the gap thus created, instead of applying it to its legitimate purposes.

A day or two after this letter appeared, the *Bolton Chronicle* echoed the substance of its complaint as follows :—

If we want more cotton, and better cotton, and cheaper cotton, from India, we must have more roads, more navigable canals, and greater improvements to the navigation of existing rivers between the cotton districts and the coast. And here it is that the Government of India has signally failed in its duty. It is true we are told that during the last six years the grants for public works, chiefly roads, have been £30,000,000. It seems a great sum. But look to the different position in which the Government of India stands to the landowners and occupiers, to that which it holds in reference to the same classes in our own country. In England, if a new road has to be made, the owners and occupiers of land must subscribe for the improvement. But in India the Government may be called fairly the landowner; it levies a land-tax which during the last six years has amounted to

£120,000,000. And we say it is bound in all honesty to expend that tax in the improvement of the land upon which it is levied. Let the cotton manufacturer stick to this one point—"You, the Government of India, receive £20,000,000 a-year of rent from the land; that is a sum you have no right to dispose of for the enefit of merchants, and for the improvement of towns, but which you should devote to the benefit of those who pay it.

Lastly, a greater than either the "Colonist" or the *Chronicle*—the *Times*—was insisting upon the same thing, a few months ago, in the following terms :—

It is true that a large sum of £5,890,000 is to be spent in the ensuing year on public works, but nearly as much, or £5,686,000, was spent in the past twelve months. A Government like that of India, which, taking into account the opium monopoly, derives more than half its income in its character of landowner, must every year be prepared to lay out considerable sums in public works. This has been done for many years past, and the revenue is now reaping the benefit of the expenditure. The present generation must do for its successors what its predecessors have done for it.

In substance, all these gentlemen agree that as the Government of India is the landlord of the country, and enjoys the rights of landlord, so must it be held answerable for the discharge of the landlord's duties: in other words, it is its duty to construct what works are necessary for the improvement of the land, out of the income which it derives therefrom. The extracts are replete with misstatements of fact on minor matters, to which I need not reply: but admitting for a moment that the Government of India *does* stand towards the soil in the relation which these gentlemen, erroneously, suppose, when or where in the world, I ask, was it ever yet held that a landlord ought not to be allowed to borrow money for the improvement of his estate, but should be compelled to devote thereto, the income he derives therefrom! The question raised by these gentlemen, and thus superficially treated, is vital to the wellbeing of India; and if the erroneous impressions conveyed by such writings are to govern our conduct in the matter of public works in India, the future of that great country will be indefinitely compromised.

The terms *lease*, *rent*, *landlord*, and *tenant*, as applied to the relations existing between the State and the land in India, are suggestive of so much error, that their use is greatly to be deprecated. A lease in India is not a lease, in the English meaning of the term; nor is the Government a landlord, nor the ryot a tenant, nor the land revenue

a rent; and the assumption that the words so translated have the full meaning of their English renderings, is the parent of half the errors made in this country upon the subject of Indian finances.

In no part of India, does the Government stand towards the soil in the relation of landlord. Its rights as landlord (if it ever possessed them) were long since waived in favour of the cultivator. As a matter of fact, the Government of India never was the landlord; it was simply entitled by immemorial usage to what was known as the *khirauj*—an impost that might, or might not, represent the true rent of the soil This impost might legally extend to one-half the produce, but could not exceed that proportion; while in practice only a third or a fourth was taken. In other words, the Commonwealth had a prescriptive right to share in the produce of the soil; a share that might reach to one-half, but in practice seldom exceeded one-third.

Now, let it be well understood that this was the condition of things we found in India. We found that the Commonwealth had reserved a right from time immemorial to a certain proportion of the produce of the land. But the State had no right to the *soil:* it could not dispossess one tenant to put another in at a higher rental; for the soil belonged to the occupier, who could do with it what he liked, so long as he paid the State share of the produce. When a man sold his land in those days, he sold it subject to the State claim upon it; in other words, he sold a right to occupy and enjoy for ever two-thirds of its produce. The remaining third was not his to sell, and never was his, nor his fathers'. Whether the State share represented the true rent of the soil or not, would of course be an accident: I am inclined to believe it fell a good deal short of that rent as a rule. Well, this was the condition of things we found everywhere; while at this moment we have everywhere lowered that *khirauj* almost to the point of abandonment. The land has risen so enormously in value within the last twenty years—mainly from the successful growth of new and valuable articles of export—that, instead of one-third, it is doubtful if we are taking one-twentieth of the produce as the State share. In other words, whatever our predecessors may have been, we have long since abandoned all claim to anything but a quit-rent of the soil.

Wisely or unwisely, we have abandoned, I say, to the cultivator that share in the produce which before we came, the Commonwealth

reserved for defraying the expenses of the Government. In so doing, we have of course conferred an enormously valuable property upon the cultivator, which neither he nor his fathers knew, and to which neither he nor they had the remotest title, or right. If, therefore, it ever was the landlord, the Government has long ceased to be so, having abandoned to the cultivator the whole margin of profit which lies between our light assessment and the true rental of the fields.

Now, these are facts of which "A Colonist" is plainly ignorant. The belief still lingers everywhere, that the land revenue of India is "a rack-rent of half the produce." The truth is, a revolution has taken place in that country within the last twenty years, so vast that the experience and the writings of men who may have been "authorities" in 1845 are now simply misleading and dangerous. It is because of this that the proposal to settle the land-tax in perpetuity at its present amount, is so monstrous a folly. Just at the period when the land is doubling in value every five years, we are bidden to settle the land-tax in perpetuity. Take the case of a ryot holding a thirty years' lease, in the Bombay Presidency. The man has what is called a right of occupancy; and the "lease" is simply an assurance that the Government assessment shall not be raised for a generation of years. He can do what he likes with his land, for his right to occupy is heritable, and transferable, and perpetual. The State cannot oust him; all improvements upon the land are his for ever. He is simply liable at the end of thirty years to find the quit-rent he is paying somewhat increased, from a general edict falling upon the whole *talooka;* an edict ever preceded by careful inquiry. Where he is now paying a quit-rent of Rs.2 an acre, he may perhaps have to pay by-and-bye Rs.3. Who is the real landlord in these circumstances? The so-called tenant, who is allowed from generation to generation to enjoy the rent, or the so-called *landlord*, who does *not* enjoy it? So valuable a property are these leases, that they command the most fabulous premiums. Land is not to be bought in Western India at all. If we could get at the hoards of these men for the purpose of making the roads, and tanks, and canals, which they have too little enterprise to make for themselves, it might be good policy to tax them for the purpose; but to tax *the urban classes* for such works, while they are to have no interest in the profits arising from the outlay, is plainly monstrous. On this ground, have I ever condemned

the income-tax in India; because it was levied to sustain a great public works expenditure, and not to defray the current expenses of the State. If we settle the land-tax in perpetuity at its present amount, then is it certain that the Commonwealth should cease all expenditure upon public works for improving that land. All that the State is now taking from the land of India is a quit-rent, the whole proceeds of which go to defray the expense of administering the laws, and maintaining the military establishments. To undertake public works for improving the land, out of that quit-rent, or out of an income-tax upon the cities, is plainly preposterous. The State has already conferred upon the occupiers of land an enormously valuable property, which belonged of right to all classes in common. And we are now to add to the value of that property, it seems, by an indefinite outlay upon public works made out of taxes upon the non-agricultural classes.

LONDON: W. J. JOHNSON PRINTER, 121, FLEET STREET.

SPEECH

COLONEL SYKES,

IN THE

HOUSE OF COMMONS,

ON

THURSDAY, FEBRUARY 18TH. 1858.

ON THE

PROPOSED INDIA BILL.

WITH NOTES AND APPENDICES.

LONDON:
SMITH, ELDER AND CO., 65, CORNHILL.

1858.

SPEECH,

&c. &c.

MR. SPEAKER,

I would beg the indulgence of the House for a few preliminary words to set myself right with honourable members, ere I refer to the motion before us. Sir, from my long connection—of nearly eighteen years—with the Court of Directors of the East India Company the House may very naturally infer that I have certain predilections in favour of that Court. Great injustice, however, would be done to the Court, and the statements I have to make in its defence would be unfairly weakened, if that feeling were entertained by the House. I have so frequently for many years past opposed the views of the majority of the Court of Directors upon questions of public policy that I have exposed myself to the imputation of belonging to the Opposition benches. That opposition operated among my colleagues to my prejudice. It delayed my access to the honour of the chair of the Court of Directors beyond the customary period. If, therefore, I had any bias with respect to the Court, it would be against rather than in favour of it. I trust, therefore, that the House will be disposed to regard the statements which I have to make on the present occa-

sion as those of a witness to the truth, and not as those of an apologist or panegyrist of the Court of Directors, and I can assure the House that any statements I may make shall be capable of independent verification by any honourable member. I will first notice the grounds on which the noble lord proposes to make this transfer of power. The noble lord says—

"In making this proposal, I feel myself bound in the first place to say, that I do not make it in any spirit of hostility to the East India Company, or as meaning thereby to imply any blame or censure upon the administration of India by that corporation. I believe the East India Company has done many good things in India. I believe that its administratiou has been attended with great advantage to the population under its rule. It is not on the ground of any delinquency on the part of the East India Company, but on the ground of the inconvenience and injurious character of the existing arrangements, that I propose this measure to the House."

Inconvenience and the injurious character of the existing arrangements, then, were the grounds on which the noble lord proposed this momentous change. But what said the Chancellor of the Exchequer? That right hon. gentleman stated that the East India Company had done nothing at all—that all the glory of expanding two small factories, one on the Ganges and the other at Surat, into a magnificent empire that would have excited the envy of Alexander the Great and of Augustus Cæsar was the result—of what? Of the insubordination of the servants of the East

India Company! That assertion is in direct opposition to the admission of the noble lord as to the excellent manner in which the Company had administered Indian affairs. The First Lord of the Treasury also said—

"This system of check and counter-check may be carried too far. There is no doubt that these checks are requisite in every political machine, but you may multiply your checks and counter-checks to such an extent that the functions of the machine, which are intended only to be controlled, are paralyzed for every useful purpose."

Sir, I challenge some member of the Government to give instances in which these checks and counter-checks have paralyzed the administration of Indian affairs. The noble lord added—

"When Indian questions are discussed, it is the constant habit of those who take part in the debate, in impugning what has been done, to make her Majesty's Government responsible for everything that occurs, although they cannot be fairly answerable for things over which they have not perfect control, and which they cannot entirely direct."

I will show shortly where the perfect control and responsibility really rest. What said the right hon. gentleman the Vice-President of the Board of Trade? That the Court of Directors was entitled to neither praise nor censure, simply because for the last seventy years it had been deprived by statute of all power of carrying its good intentions into effect. "In matters of state importance, they were passed by altogether,

and in ordinary matters they were only allowed to interfere after the President had made up his own mind, when their interference was obviously nugatory." "Every week," says the right hon. gentleman, "the President of the Board of Control has a meeting with the Chairman and Deputy Chairman, at which any matters requiring discussion are brought forward. The President's wishes are expressed, and then these two gentlemen go to the India House and prepare a '*Previous* Communication.'" The House shall judge what foundation there is for this statement, or for the right hon. gentleman's ridicule of the system of "previous communications" in the carrying on of Indian affairs by the Company in conjunction with the Board of Control. Here, then, are three members of her Majesty's Government contradicting each other on the grounds for abolishing the East India Company. A "previous communication" between the members of the Government, before the noble lord brought his motion into the House, might have saved them from this public expression of the want of harmony in their opinions. Probably the next member of the Government who may take part in the debate will state some other reason, distinct and opposed to those already noticed, for this transfer of power. The noble lord has truly said that the Company deserves praise for its administration of Indian affairs. Returns which have been laid before the House prove the great progress made in the commerce of India, in its internal administration, in its works of irrigation, its roads, its police, and the

introduction of district courts of law, and in a variety of other matters, during the last thirty years. After the details of Indian improvements given by the hon. and learned member for Enniskillen in his speech, not less remarkable for its brilliant language than its crushing logic—than which, as I have been told by one of the most distinguished orators in this House, no more eloquent display has ever been made within its walls—(cheers), it will not be necessary for me to mention more than one or two facts. During the forty years, from 1809-10 to 1849-50, the nett revenue of Bengal had been increased from 7,151,000*l.* to 13,700,000*l.*,* that of Madras had remained nearly stationary, varying only from 3,620,000*l.* to 3,478,000*l.*, while that of Bombay had risen from 466,000*l.* to 2,330,138*l.*, showing a total increase from 11,238,000*l.* to 19,570,000*l.* The exports from India had increased during the last twenty years, speaking in round numbers, from eight to twenty-three millions sterling,† or 188 per cent.; while the imports from all parts had increased from four to fourteen millions, or about 227 per cent. With such facts staring him in the face, could the Chancellor of the Exchequer justly contend that it was doubtful whether the possession of India had been of any service to this country? Why, such an increase of commerce in India must have tended considerably to encourage manufactures in this country, and so to have created a demand for labour and increased employment of capital, and must have been of great

* Vide Appendix, No. 1. † Vide Appendix, No. 2.

advantage to both countries in their relations with each other. (Hear, hear.) I must make one observation with regard to cotton. The Indian Government has been charged with not doing anything in India to promote the production of cotton, and it has been said by some, that whenever cotton was wanted in England there ought to be found in India a large stock ready to supply the demand. Now, the fact is that the Indian Government has no more right to compel the production of cotton in India than the English Government had to compel the production of potatoes in England for the benefit of Ireland at the time of the Irish famine. It is entirely a question for the cultivator of the soil, and has nothing to do with the Government. (Hear, hear.) But what are the facts connected with the production of cotton in India? During the last twenty years the Court of Directors has spent above 100,000*l.* in cotton experimental farms,—in the introduction of varieties of cotton seed,—and in employing Americans at high salaries to superintend cotton farms; and from 1834-5 to 1855-6, the result is that the export of cotton from India to England has increased 346 per cent., and the general exportation has increased 141 per cent.* I trust, therefore, that I must have satisfied the Chancellor of the Exchequer that this country has derived some advantages from its relations with India. (Hear, hear.) I must for one moment advert to a few words which have fallen from my hon. friend the member for Shrewsbury, and which, coming

* Vide Appendix, No. 2.

from his lips, have pained me. My hon. friend has stated—

"The people of India, inhabiting a country blessed with the most fertile soil, and living under a Government formed from the most intelligent nation on earth, were yet plunged in the lowest depths of misery and degradation. The cause of this was, that they had for a lengthened period been more oppressively taxed than any other people on the face of the globe. The East India Company, as the lords of the soil, exacted from the cultivators rents so exorbitant and grinding as to be wholly without parallel in any other country in the world. One-fourth of the produce of the land was a very high average to levy in the shape of rent; but in Hindostan the proportion reached two-thirds and even three-fourths, leaving to the unhappy ryot the most wretched pittance on which human life could be sustained."

Now, I hold in my hand a return, which is capable of verification by every member of this House, of the revenue raised in the North-West Provinces from the land-tax and all other taxes for 1854-5, from which it appears that in the North-West Provinces the taxes collected under the heads of land-tax, abkaree, stamps, customs, &c., in the regulation districts, amounts to 3*s.* 3½*d.* per head per annum,* and in the non-regulation districts to 2*s.* 3½*d.*, while in the Bombay Presidency they amount to 3*s.* 9¾*d.* per annum.† It is true that it is not only the amount of taxation which is to be looked to, for small taxation may

* Vide Appendix, No. 3. † Vide Appendix, No. 4.

press very heavily in consequence of the lowness of wages, dearness of food, or other causes; but such is not the case in India, for, from inquiries which I made some years back when the pressure of taxation was greater than it is now, I found that, as regarded the relative position of the labouring classes in England and the natives of India, the comparison was in favour of the latter; for the pressure of taxation in India in relation to wages was as 6·94 decimals,* while in England in 1851 it was 8·04. As regards agricultural wages, there is no doubt that they are very small in India, varying from six to eight shillings per month, but that is met by the excessive cheapness of living, for in many parts of India a native labourer need not spend 1*d.* a day.† In fact, as regards the relative condition of the labouring classes in India and England, I can truly say that I have seen in one street in London, when I was engaged in examining the dwellings of the poor, more misery than I have seen in a whole province in India; and yet gentlemen in, and out of this House, make those unjustifiable assertions, which are damaging to the Indian Government, without the slightest foundation for them, instead of previously ascertaining the facts before they venture to make their accusations. As to the tenure of land, it is a complete mistake to suppose that Europeans are excluded from possessing it; the fact being that any one can hold land who may choose to buy it from the Government or other owner, burthened with a light land tax usually fixed for thirty

* Vide Appendix, No. 5. † Vide Appendix, No. 6.

years.* Having disposed of the assertions of my honourable friend, and those of the member for the Tower Hamlets, who ventured to tell the House the natives were reduced to eat the earth they cultivated, I will now come to what has been said regarding the inconvenience of the double government. The noble lord at the head of the Government, with that buoyancy, hilarity, and good humour which are his characteristics, has amused the House with the adventures of a despatch between the Court of Directors and the Board of Control, which he has compared to *The Adventures of a Guinea;* but the noble lord's measure is of far too grave a nature to be treated lightly, and I can only hope that the day may not arrive, although, indeed, it may arrive, and that at no very distant period, when this House will have cause to regard it with sorrow and not merriment. The House shall now have the real history of a despatch—not the ideal history, such as has been given by the Vice-President of the Board of Trade and by the honourable member for Reigate—and having passed the chairs I speak from personal experience. A despatch with its accompanying explanatory documents arrives from India, addressed to the Court of Directors, and never to the Board of Control. It is immediately referred to that one of the three committees into which the Court is divided to which it particularly belongs. These three committees, it should be observed, perform the corresponding duties of the whole Treasury bench, including all the Secretaries of State, the War, Ordnance,

* Vide Appendix, No. 7.

Medical, Admiralty, and Treasury departments; not, however, for a kingdom of 28,000,000 of souls, but for an empire of 181,000,000. At a Court of Directors held on the 10th of December, 1834, it was resolved that all despatches coming from India should be referred on their arrival to their respective committees for answer.* Unhappily, that simple method of transacting business has been subsequently interfered with. It has been thought necessary, that the answers to despatches should be drafted in the first instance in the India House, and then sent, in what is called a "previous communication," to the Board of Control without the knowledge of the committee to which they properly belong. This unfortunate circumstance has originated much of the delay now spoken of as impeding public business. But this is not the worst. I have always raised my voice against the "previous communication," because, in consequence of the despatch going to the Board of Control, and being there adapted to the views of the President, or, rather, of his clerks, it is prejudged. When it returns to the India House, to be laid before its proper committee, where it has to be handled by experienced men, exercising their independent judgment, it may happen that they do not agree with the President of the Board of Control, or rather his clerks. They take the despatch and its enclosures into their rooms; they compare the documents and paragraphs together, making their own notes in the margin. The subject may be one

* Vide Appendix, No. 8.

belonging, for example, to the Political and Military Committee, which discharges the analogous duties of the Foreign Office, the War Office, the Horse Guards, the Ordnance Office, and the Medical Department, for which there are separate departments under the Royal Government. The committee meet once a week; they see and discuss each other's notes, and then determine by a majority of votes on the paragraph which shall go up to the Court. The members of the other two Committees then subject the despatch to the same ordeal, while it is lying upon the table of the Court for a week, and it is finally passed at a Court of Directors, which *must* take place weekly. Is there any Government on earth which can better secure that a question shall be properly ventilated and sifted by independent minds? But, having been previously prejudged at the Board of Control, the chances are that that Board will not alter their views, but will insist on their original impressions; and, of course, the men best capable of judging from their personal experience are obliged either to give way or to cause impediments. This is the real state of the case with regard to a despatch; not one has its origin at the Board of Control. With the business of the Secret Committee, which deals with peace and war, the Court have nothing to do. The members of the Committee have only to put their signature to a letter drawn up by the Board of Control, and then send it out to India. In this way there may be a war of which the Court knew nothing, as was really the case in the Affghan war, and

also in the Persian war, when, as Chairman, I had myself to attach my signature to an order of the Board sending an expedition to the Persian Gulf. The Ministry, therefore, are entirely and exclusively responsible for everything connected with peace and war. And not less so are they in matters of general business, through their organ, the President of the Board of Control, for as the final approval or disapproval of each despatch resulting from the initiative of the Directors is at the pleasure of the President of the Board of Control, so the responsibility for those despatches equally rests with the Ministry. To show to the House the amount of business in which the Court of Directors exercise in the first instance an independent judgment, I have had a return drawn up of the official correspondence which took place during the year 1857—the year after I left the chair. This return embraces the different heads of public business, such as the finances, railways, electric telegraphs, public works, military, foreign, political, ecclesiastical, revenue, judicial, legislative, and statistical affairs.

The number of despatches received by the India House on these matters during the last year was 2,516;* and the number of collections—that is to say, the documents containing the facts or *data* on which these despatches from India were founded—amounted to 16,950. To do their duty, the Court of Directors had, of course, to read these 16,950 separate documents. It will be seen by-and-by whether it is not physically impossible for a single individual to

* Vide Appendix, No. 9.

read one-tenth or even one-hundredth part of this correspondence. The number of despatches sent to India in reply in 1857 was 1,833,* and NOT ONE of these originated with the Board of Control. But I now come to some figures which must amaze the House after the representations which have been made to it by the noble lord and the Vice President of the Board of Trade as to the delay in transacting the general business, and which delay and consequent inconvenience are the only reasons assigned for crushing a great historical corporation. The latter right hon. gentleman, though he had filled the office of Secretary to the Board of Control, has evidently laboured under some hallucination as to the mode of preparing the despatches. In the year 1857 the number of draft despatches approved by the Court of Directors on the very day on which they were laid before them was 1,157.† (Hear, hear.) Those ordered to lie on the table of the Court for further consideration amounted to 464; and, notwithstanding all that has been said about the adventures of a despatch by land and water, the average time during which a draft ordered to lie on the table was under consideration was seven or eight days. (Hear, hear.) I defy any office of Her Majesty's Government to produce such a return as this. Yet the East India Company are to be cashiered for obstructing public business, and the noble lord compliments, and smiles, and slays. (Laughter.) Many of these despatches, affecting as they do 181,000,000 of people,

* Vide Appendix, No. 9. † Vide Appendix, No 10.

are of infinitely greater importance than Acts of Parliament; and in how many of them does the House suppose that alterations have been made by the Board of Control? Out of 1,621 drafts only 140 have been altered (hear, hear), and many of these alterations were merely verbal corrections. (Hear, hear.) Thus 1,481 despatches emanating from the independent judgment of the Directors have been approved without any alteration at all; where, then, is the impediment to good government on the part of the Court of Directors of which the House has heard so much? What delay there is, is caused by the interference of the Board of Control with minute details. When that Board was established, it was intended to prevent the Directors rushing into war or indulging in financial operations which might endanger the welfare of India, but it was never contemplated that it should make verbal alterations in despatches, or interfere with petty details. Now, as a sample of the vexatious meddling by the Board of Control, I will give the House one instance out of a thousand; and, to avoid all personality or invidiousness, I will take a case before the advent to office of my right hon. friend the present President of that Board. A despatch was received in the military department from Madras, one of the paragraphs of which recommended the granting of a pension of fifteen rupees, or thirty shillings a month, each, to the three grown up daughters of a subadar-major, or native captain, who had died after fifty years service, had been five times wounded, had volunteered to go to Java, and had received the military

medal and order of merit. The Directors at once sanctioned this pension, but when the despatch was sent to the Board of Control, ten shillings a month was deducted from each of the pensions. (Laughter and cheers.) This is a type of the meddling of the clerks of the Board of Control, and the chief cause of the delays. The details I have given will enable the House to determine where impediments to the transaction of business arise, and where responsibility really rests; and if delays exist, let them be compared with the delays in the passage of bills through Parliament, and the comparison will be tenfold to the advantage of the so-called double government. I now come to the proposed Bill of the noble lord, which, unlike Fox's Bill, commences, not with the enumeration of certain crimes and misdemeanors, but with compliments. Fox's Bill, which proposed the abolition of the Court of Directors, commenced with a recital that disasters of an alarming nature had long prevailed, and still continued, in the management of the territorial possessions, revenues, and commerce of this kingdom in the East Indies, and then enacted that there should in future be seven Directors, to be appointed by the Government, whose names were inserted in the Bill (hear, hear), and who should be assisted by nine assistant Directors, to be elected by the proprietary body. (Hear, hear.) There was no attempt to abolish the East India Company, and the popular elective principle was maintained and respected.* To these seven Directors

* Clauses 4 and 6.

was given the whole patronage of India*, including the appointment and removal of the Governor-General and Governors of Presidencies; and they were commanded, in case of appeals being made to them, of injury or wrongs done in India, at once to inquire into the complaints, or to state in writing, within twenty days of the receipt of the appeals, their reasons for not doing so. In fact, they were made completely independent of Parliamentary and party influence, and were directed to exercise their authority only for the public good. Such a Bill one could understand; compared with that now before the House it was a gentle measure.† Fox's Directors had a deliberative power, and were to decide matters by a majority of votes without reference to any other body; but the councillors now proposed would have no power whatever; they were simply to record their votes and offer suggestions to the President, but they would have no independent character,—no stimulus to, or pride of action. As they were to go out by rotation, and their re-appointment rested with the President, their interest and their duty might not be always compatible. (Hear, hear.) It might be injurious to themselves to record their votes, and the practical result would be that the President would become a complete despot. (Cheers.) Fox's Bill also allowed the Directors to have seats in

* Clause 16.

† The "Fox's" bill only mangled its victim, but the noble lord's bill, which may be called the "Wolf's" bill, devours its victim, and leaves not a rack behind.

Parliament,* but by this measure the councillors were to be excluded from that House. Possibly it might be very inconvenient to an autocrat President to have them there. (Hear, hear.) The former measure was, at all events, justified by the anarchy which then prevailed in India, but this Bill was based upon a fiction of obstruction to public business on the part of the Directors for which, as I have shown the House, there is no foundation whatever in fact. As under the proposed plan the authority of the President would be absolute, he ought to pass in review all the 16,950 collections, or data on which despatches were to be founded, relating to twenty nations and 181 millions of souls. Was it possible he could perform a hundredth part of that work? Having passed the Chairs, I have some experience on this subject, and I assure the House that for two years I breakfasted at the India House every morning, except Sundays, and did not leave until six o'clock in the evening. I was obliged to carry papers home with me, and seldom got to bed before two o'clock in the morning. ("Hear, hear," and a laugh.) Yet I never could read one tenth part of the documents upon which I had to form a judgment. But I had means for getting through the work satisfactorily which the proposed despot would not have; I could rely upon the active co-operation and independent judgment of my co-Directors, who, working in their respective committees, read all the papers from India, and, in case of any ignorance or oversight on my

* Clause 27.

part, were able to correct my errors. (Hear, hear.) The proposed Bill provided for nothing of that kind. Under it the whole business would be left in the hands of clerks; because the eight councillors, having no deliberative power or independent action, would have no motive to labour. Did the House wish the Government of India to be carried on by clerks? (Hear, hear.) I must give one or two instances to show how business is conducted in Leadenhall-street. Last year the Government handed over between 20,000 and 30,000 troops to the Company for conveyance to India. The naval department at the India House is exceedingly small, but, with the aid of the six members of the Finance, Naval, and Home Committee, it was able in the months of July and August to take up sixty-seven vessels—steamers and clippers of the first order,—provision them, embark the whole of the troops, and despatch them to India, where they had all landed without an accident. (Hear.) That certainly did not indicate inefficiency, but rather a significant practical embodiment of the "*Phantom*" of the honourable member for Kidderminster? (Hear.) Take another case, which occurred during my chairmanship. An urgent despatch arrived from India asking that warm clothing should be sent to the troops in Persia. It was received on the 13th of October, and between that date and the 20th of November, having put the order into the hands of parties whom it was known would fulfil their engagements, the Directors despatched to India 419 packages of clothing and 349 packages

of boots—in all 768 packages,—and Sir James Outram took them with him to Persia. (Hear, hear.) These were not symptoms on the part of the Directors of inability to do the work which had been intrusted to them. (Hear, hear.) In all these and other cases the responsibility of approval of proposed measures rested with the President; and the responsibility of execution with the Directors. The new Bill would not make the responsibility of the President more distinct or certain, and it would take away the prudent council,—the moral check, and the executive power of an efficient body. I now pass to another and very painful subject, but having expressed in August last my opinions with regard to the mutiny I will not trouble the House with more than a few words on the present occasion. Everything that has come to my knowledge since—whether in the shape of Parliamentary papers or in that of private communications from India or the confessions of condemned Sepoys—confirm me in the belief that the origin of the mutiny was a frantic delusion on the part of the sepoys of the Bengal army that the Government were going to degrade them from their caste. I am convinced also that the mutiny was entirely a military one in its origin, arising from religious panic—a panic which was taken advantage of, *after the outbreak*, by the majority of the Mahomedans in India to promote the restoration of their former power. There were no organized conspiracies among the troops, no common sympathy even, until the punishments took place at

Meerut. From the moment that those eighty-five troopers were condemned to ten years' imprisonment in irons—from the moment they were paraded in the presence of their comrades, and three hours were taken up in fixing the irons upon them—from that moment an electric shock of sympathy went through the whole army, and amongst their co-religionists in the contingents with native powers. Up to that time there had been doubts and alarms, but no common sympathy or understanding. Then, however, every Sepoy in the Bengal army made the case of the condemned his own. Although the objectionable cartridges were really not given out to the army at large, and had only been used at the depôts of the Enfield rifle instruction, each Sepoy said to himself, "I shall be ordered to use these cartridges; I must disobey; I shall therefore be condemned to ten years in irons, and consequent loss of caste, and the question now with me is submission or the extermination of my officers." We have seen the alternative which the Sepoys took, and the lamentable results of it; but the cause of their mutiny, considering their stringent religious convictions, is so simple and plain, that it needs no other explanation than the one I have now given. Predisposing causes there were, no doubt, but ample reference has already been made to them in debate, and the main, the immediate cause, was that which I have now stated. (Hear, hear.) If there had been at Meerut a man like Gillespie, who put down so promptly the mutiny at Vellore, or if the prudent course pursued at Hyder-

abad had been adopted in the first instance, the outbreak might have been extinguished at once. It is quite a mistake to suppose that the disaffection did not extend through the whole Madras army, in 1806, and at Hyderabad the men would have broken out into open mutiny, as at Vellore, had not Colonel Montresor, who commanded, upon learning the state of feeling among the Sepoys, taken upon himself the responsibility of abrogating the obnoxious order respecting the removal of their caste-marks. This entirely satisfied the men; the Madras army has remained faithful ever since, during fifty-one years, and its loyalty has proved of vital importance to us; without it, indeed, we might now have been driven to the coast. (Hear, hear.) To pass to another painful subject—a subject upon which much has recently been said in the pulpit and on the platform—said, too, wrongfully and unjustly, to the great damage of the East India Company in the public mind—namely, that the East India Company, and their servants in India, have denied Christianity, and have not manifested a proper sympathy with the Christian movements going on in India. Now, that might have been true in bygone times, but it is no longer so; nor, to my own personal knowledge, has it been so for the last thirty to forty years. In India the Company proclaims its Christianity at the cannon's mouth by saluting the bishops when they arrive at military stations. ("Hear," and a laugh.) The Sepoys necessarily ask the cause of the salute, and are told it is to do honour to the head of the Christian

Church, the Lord Padre Sahib! Here is no timid concealment or denial of our Christianity! But I will now satisfy the House that the Company has not been slow in giving overt proofs of its anxiety to promote Christianity in India. I recently had a return laid before the House of Commons relative to the annual cost of the East India bishops and the ecclesiastical establishments in India from 1836–7 to 1855–6*. From this return it appears that the salaries of the bishops in the three Presidencies have remained the same—namely, the Bishop of Calcutta, 4,598*l.* per annum, and the Bishops of Madras and Bombay, 2,500*l.* per annum each. The visitation allowances of the Bishop of Calcutta had been increased from 104*l.* in 1836–37, and ranged up to 2,931*l.* in 1844–45, and fell to 752*l.* in 1855–56. The chaplains increased in number from 39 to 68, and their salaries had risen from 38,537*l.* to 51,031*l.* The chaplains of the Church of Scotland had, I regret to say, remained the same, from the first-mentioned year to the last. The expenditure for Church establishments had risen from 3,420*l.* to 6,467*l.*, and the allowance to Roman Catholic priests had increased from 485*l.* to 2,725*l.* In Madras the number of chaplains had risen from 23 in 1836–37 to 35 in 1855–56, and their salaries from 19,153*l.* to 25,056*l.* The expenditure for Church establishments had risen from 1,938*l.* to 2,636*l.*, and the allowances to Roman Catholic priests had increased from 808*l.* to 2,580*l.* In Bombay the number of chaplains had risen from 15 in 1836–37 to

* Vide Appendix, No. 12.

26 in 1855–56; and when I first went to India there was but one for the Bombay Presidency. Their salaries had increased from 13,005*l.* to 18,036*l.* The expenditure for Church establishments had increased from 1,741*l.* to 2,021*l.*; and the allowances to Roman Catholic priests had risen from 552*l.* to 3,147*l.* In addition, 31,457*l.* was expended in Bengal for the building and repair of churches from 1832 to 1852, and 51,192*l.* was expended for the same objects in the Punjab and Bengal for *seventeen new churches* between 1853 and 1856. In Madras, 30,875*l.* was expended for the same objects, and within the same periods, and in Bombay, 28,164*l.*; and it will be borne in mind that all this outlay, of 2,453,882*l.* in twenty years, for Christian purposes, was from taxes paid by heathens and idolators. So far, then, as the Church establishment was concerned, the Court of Directors had, certainly, shown every disposition to promote Christianity. But the Court had done much more and had given grants of money to all the *missionary* schools, precisely as to Government schools, for the purpose of promoting the education of the scholars, whether converts or not. I will read, in order to show what the real state of things in India is, the following extract from a work recently sent to me :—

"About five years ago a document was published by the Rev. Joseph Mullens, of Calcutta, entitled 'Statistics of Missions in India and Ceylon,'* from which the following extract is taken :—'At the com-

* The revised edition was reprinted in London, by Dalton, of Cockspur-street, in 1853.

mencement of the year 1852 there were labouring throughout India and Ceylon the agents of 22 missionary societies. These include 443 missionaries, of whom 48 are ordained natives, together with 698 native catechists. These agents reside at 313 missionary stations. There have been founded 331 native churches, containing 18,410 communicants, in a community of 112,191 native Christians. The missionaries maintain 1,347 vernacular day-schools, containing 47,504 boys; together with 93 boarding-schools, containing 2,414 Christian boys. They also superintend 126 superior English day-schools, and instruct therein 14,562 boys and young men. Female education embraces 347 day-schools for girls, containing 11,519 scholars; and 102 girls' boarding-schools containing 2,779 Christian girls. The entire Bible has been translated into ten languages; the New Testament into five others, and separate Gospels into four others. Besides the numerous works of Christians, 30, 40, and even 70 tracts have been prepared in these different languages suitable for Hindoos and Mussulmans. Missionaries maintain in India twenty-five printing establishments. This vast missionary agency costs 190,000*l.* annually; of which one-sixth —or 33,500*l.*—is contributed by European Christians resident in the country.' At every station there has been some degree of success; there are some villages composed entirely of native Christians; in the principal cities in which the missionaries have been located, the trust of many of the more intelligent of the natives in the faith of their forefathers has been

shaken, while they are impressed in favour of Christianity; in the boarding-schools many young people of both sexes have been converted to the purity of the Gospel; and the solemn scenes of the hour of death have proclaimed that in the near prospect of eternity the hope of the sufferer has been placed upon Christ. The native Christians have been exposed lately to the same indignities as Europeans in the massacres of the Sepoy war; and, so far as our information enables us to judge, they have been equally faithful in the hour of mortal peril."

The result was thus summed up in the work sent to me:—

"Happily, many of the murderous customs that were prevalent at the commencement of the present century are now interdicted. The widow no longer burns on the funeral pile of her husband, or is buried by his side. The deluded victim is no longer permitted to throw himself before the wheel of Juggernaut's car. Ghat murders are no longer committed with impunity. Old men, old women, and children, are not now thrown to the sharks at 'the place of sacrifice' in Saugor. Thuggism has been abolished. Slavery is no longer legally upheld. These rites, and others of a similar character, have gone 'with the dust of dead ages to mix.' The connection of the East India Company with idolatry in its more open and offensive forms has ceased. The evils that yet remain will be exposed in these papers. Until the recent outbreak, the residents in India, both native and European, thought themselves as secure as in any

country in the world. The plains of Bengal had been free from the scourge of civil war since the Battle of Plassey, fought in June, 1757. Until recently the press was free. The proceedings in the courts of justice are conducted in the native languages. The out-caste has the same protection as the twice-born Brahmin. Hospitals and medical colleges have been instituted. There is a cheap, regular, and uniform postage. The electric telegraph is in operation; extensive canals have been dug and irrigation assisted; railways have been commenced; and transit dues on interior commerce have been abolished. For these ameliorations, as 'concerning the kingdom,' the benefits derived from the Government of the East India Company are gratefully acknowledged; their sway has been an unspeakable blessing to these lands; but 'occasion and fault' still lie against them as 'concerning their God.'" Will the noble lord prosecute his Bill with such a eulogium from a missionary society before him?

Now, the House will rationally suppose that all these praises are uttered by warm advocates of the East India Company. They, however, proceed from a missionary journal published in Edinburgh on the 1st January, 1858, designated the "Journal of the Indian Christian Association," and might therefore be taken as the true exponent of the feelings, at all events, of that part of the religious public which did not think that the Indian Government denied its Christianity in India. Nevertheless, the same association in November last presented the following petition to this House:—

Petition Presented by the India Christian Association to Parliament.

"That your petitioners, deeply affected by the calamitous events that have happened in India, have thereby been led to review with increased solicitude the course of policy pursued by the British Government throughout that vast dependency; and while they readily acknowledge that great benefits have accrued to the native population from the just and humane rule to which it has been subject, your petitioners deplore the public reproach brought upon this Christian country by the countenance given to the debasing practices of the heathen by British authority. They are aware that, in some respects, this evil has, of late years, been greatly mitigated; but, from facts that have been made known to them, *they lament to think that the baneful system of caste is still upheld by Government*, that the connection between Government and the Hindoo temples has not entirely ceased, and that, in *various instances, there has been discouragement of native converts to Christianity, who have been treated as if disqualified for employment by the Government, in direct opposition to the course of a wise and impartial toleration.* Such a policy, inconsistent with the principles of Christianity, and with the principles of the British constitution, is now seen, in the light of experience, to be moreover highly inexpedient.

"May it therefore please your honourable House, in any measures which, in your wisdom, you may see fit to adopt for the better government of India, to provide that this public reproach be rolled away, *by taking immediate steps for the complete removal of all Government encouragement of the pernicious system of caste, all public support of idolatry, and all obstructions to the profession of Christianity by the natives; or to the free promulgation of the truths of the Gospel.*—And your petitioners will ever pray."

Twenty-one other petitions have been presented to this House for the removal of the system of caste —against the public support of idolatry and for freedom in religion; amongst which was one com-

plaining of the gigantic obstacles which now exist to the spread of Christianity in India. Sir, I have proved to the House, from official returns and from missionary statistics, that the Directors of the East India Company and the Government in India do not oppose any obstacle whatever to the diffusion of Christianity in India; so far from it, missionaries of all Christian nations, and of all sects, roam over India at their pleasure, and instead of obstructing them, their labours are looked upon as advantageous to the country in assisting to educate the people; and their personal conduct is creditable to the European character in the examples they give of a true Christian life. But it is asserted that Christian converts are looked upon unfavourably, and cannot obtain employment under Government. An instance of a direct negation of this assertion has just come to my knowledge. At Kurrachee, in Sind, there is a convert employed in the revenue department as an assistant. The native convert was not at first allowed the same amount of travelling expenses as the European officials were; but he applied to the Bombay Government under Lord Elphinstone, representing that, as he was no longer a Hindoo, he could not, when travelling in the country, be offered hospitality by his friends, as heretofore, and therefore he ought to receive the same amount of travelling allowances as the Europeans. The Bombay Government, having considered that memorial, issued an order that the Christian convert should be put on the same footing as the European. What becomes, then, of the assertion

that Christian converts are viewed unfavourably, and treated as if disqualified for employment by the Government in direct violation of just and impartial toleration: — and yet such was the language of petitions to the House of Commons! (Hear, hear.) On the contrary, the Governments in India issue circulars annually to the heads of all colleges and schools, whether Government or Missionary, to send in the names of the most intelligent students as candidates for public employment, without reference to their religious beliefs; and in the three armies of India, native Christians are entertained as musicians and drummers, and even in the ranks. The Bengal army had in 1852 not less than 1,118 Christians; the Madras army, 1,663; and the Bombay army, 300. In 1850 a law was passed by the Legislative body in Calcutta giving to Christian converts, either from Hindooism or Mahomedanism, the right of sharing in the family property from which they were formerly excluded by becoming Christians, according to the ancient religious laws and usages both of the Hindoos and Mahomedans. This had created a great sensation in India, for a Hindoo son was bound to perform certain religious rites for the benefit of the soul of his father, just as Catholics would have to perform masses to get the souls of their relatives out of purgatory, the Hindoos believing in the transmigration of souls. It was a direct interference with the religious institutions of the Hindoos, and it certainly was an emphatic proof of our demonstrating our Christianity in India at all

risks rather than denying it. Suppose that one of our old historic Catholic families—the Talbots of Shrewsbury, for instance—had an estate entailed upon the eldest son of the family on condition that he always remained a Catholic, and that the Protestant Parliament of this country should pass a law by which a younger son of that family, if he became a Protestant, should be entitled to share in the estate, what would be said in England of such a proceeding? It certainly would not be pronounced a denying of our Protestantism, and yet it was exactly analogous to what we had done in India, nevertheless we were accused of denying our Christianity. I have served a great part of my life in India, and I trust I was not deficient in Christian usages, feelings, and sentiments; the accusation, therefore, that I had denied my Christianity while I was in India is a reproach, and similarly so must it be to the 5,842 British officers and Christian gentlemen now serving in India; and in their name I must protest against that accusation as being as offensive to them as it is unjust. The parties who made that accusation would have done well to remember the Apostle Paul's commendation of charity.

But I must not be misunderstood, for I highly approve the efforts to spread our holy religion in India—a religion which humanizes all who adopt it—but for our own sakes those efforts ought to be made with prudence and circumspection, keeping in view always the inflammable materials with which we have to deal, and the bigoted prejudices of the natives,

particularly in the fatal obligations of caste. Sir Thomas Munro says:—"In every country, but especially in this (India) where the rulers are so few and of a different race from the people, it is the most dangerous of all things to tamper with religious feelings. They may be apparently dormant; and when we are in unsatisfactory security they may burst forth in the most tremendous manner, as at Vellore. They may be set in motion by the slightest casual incident, and do more mischief in one year than all the labours of missionary collectors would repair in a hundred. Should they produce only a partial disturbance, which is quickly put down, even in this case the evil would be lasting; distrust would be raised between the people and the Government which would never entirely subside, and the districts in which it happened would never be so safe as before." Alas, sir, these words are prophetic of the bloody events which we are now lamenting! Not less decided are the opinions of the celebrated Abbé Dubois, who passed thirty-two years of his life as a missionary amongst the natives of the Madras territory, and who made between 200 and 300 converts; but they were all from the low castes, and became Christians, as he says, with few exceptions, from interested motives. In the Abbé Dubois' published work occur the following passages:

"The Hindoos are a people entirely different from all others. You may, if you choose, exercise over them the most despotic sway; you may oppress them by every kind of tyranny; you may overload them with taxes, and rob them of their property; you may

carry away their wives and children, load them with chains, and send them into exile—to all such excesses they will, perhaps, submit; but if you speak of changing any of their principal institutions, either religious or civil, you will find a quite ungovernable people, never to be overcome on this point; and it is my decided opinion that the day when Government shall presume to interfere in such matters will be the last of its political existence.

"All know that nothing is better calculated to produce irritation, opposition, and resistance than contradiction; above all, when the contradicted party is the strongest and most obstinate. Now such is precisely the effect produced by the interference of the new reformers with the prejudices of the Hindoos, and I have reason to apprehend that the opposition of the latter will increase in proportion to the extent of the contradictions to which they may be exposed, *until it shall finish by some explosion, which may make all India a theatre of confusion and anarchy, to which it will be in the power of no Government to apply a remedy.*

"From my Mata, near Seringapatam,

"15th December, 1820."

Here, again, is a prophecy and by a Christian missionary now too unhappily fulfilled. In the face of these opinions and facts, do the petitioners to this House really wish the Government to put down the caste of 160 millions of Hindoos? Could the Government do that, and dare they attempt it? (Hear, hear.)

Sir, I have dwelt at some length upon this all important subject, because if the proposed Bill were to pass, and the uncontrolled minister of the Crown were to act upon the views of the petitioners to Parliament, or if he were imbued with the feelings expressed in the following extract from the "Church Missionary Intelligencer," for January, 1858, the Government of India would not only be impracticable; but we might risk the massacre of every European in the country, and cause it to be deluged with blood:—

"Under Havelock, the 78th Highlanders and their fellow-soldiers fought that series of desperate engagements which rescued blood-stained Cawnpur from the hands of the cruel Nana, and relieved Lucknow before the vindictive multitudes by which it was hemmed in had overcome the constancy of its brave defenders, and perpetrated anew atrocities, the remembrance of *which can never be erased, so long as a Mohammedan mosque or a Hindu temple remain to remind us of them. Until these abominable systems, stained as they are with the blood of innocents, have been swept away, and the land washed from its deep stain of blood by the living power of Christianity, then and not until then, can these wrongs cease to be remembered.*"

Sir, the Archbishop of Dublin, at a meeting of the Church Missionary Society reported in the public journals on the 5th of February, 1858, took a much more prudent but not less Christian view of the duties of the Indian Government. He said that "the propagation of the gospel in India,

instead of conducing to the revolt, had been one of the greatest checks to it. The people of India did not fear the missionaries, but they feared an attempt on the part of the Government to convert them by force. Government has not prevented the establishment of missions. I take this occasion to state distinctly, that I earnestly deprecate all allusions to Government. I may add, that as I shall, of course, deprecate the opposition of Government to our efforts, so I shall, if possible, still more deprecate any assistance of Government, as government, to it, as it will excite the greatest degree of suspicion and alarm, and raise the greatest prejudice against Christianity. I should say, that the maxim of this society, as a missionary society, with reference to Government, ought to be the same as the answer given by the French merchant to the minister who asked how Government could aid and forward the commerce of France. His answer was, 'Laissez nous faire'—let us alone. . . . I do think that the calamities in India are in some degree to be considered as judgments, not supernatural, but natural, upon our culpable neglect in not having overspread the whole peninsula of India, which it was free to us to do, with missionary stations and schools for those of the natives that chose to frequent them. And I do hope that we shall learn wisdom by what has passed."

Sir, I concur entirely with the Archbishop, who fears the interference of Government, for it must never be forgotten that we are but as one to 4,000 of

the natives, and for the sake of our safety, therefore, our efforts ought to be limited to appeals to their reason and judgment, and not be associated with demonstrations of the State to raise their hostility. (Hear, hear.)

I pass now to the question of patronage. This Bill would make the Minister of the Crown the despot of India. All the great offices of State in India would be at his disposal; he would allot them at his pleasure. But the great offices of State were not the only disposable places. There were in India many offices, both civil and military, of from 3,000*l.* to 4,000*l.* a year, the patronage of which had hitherto remained in the hands of the Governor-General and the Governors of the Presidencies; but when the Minister was no longer checked by a body of independent men sitting in Leadenhall Street, who knew how every apppointment was given away, and could call all parties to account, might it not be expected that he would interfere in some of those appointments by means of his direct communications with the Governors in India, without this House knowing anything about the matter? (Hear, hear.) The major part of military cadetships were to be given to the councillors. That was a very proper arrangement as far as it went; but, as these councillors were to be appointed by the Indian Minister, might it not be supposed that he would have some influence over his nominees? Some of the cadetships were to be set aside for the sons of old officers. That plan had often been considered at the India House, but had

been found to be totally impracticable. There would be at least from 1,200 to 1,500 claimants for the 10, 20, or 30 appointments which might be set aside, and who was to decide between them? One councillor would support A.'s claim, another would think B. more deserving, and a third would be for giving the commission to C.; so that it would have to be allotted by a toss up or a decision by ballot. The matter, therefore, was left by the Court as it stood. From a return to Parliament which I have lately obtained, it will be found that the total number of cadetships given away by the members of the Court of Directors from 1840 to 1855 was 5,477. Of these 1,865 had been given to the sons of military, medical, or marine officers, of chaplains, and of civil servants in the East India Company's service; 717 had been given to the sons of officers in the Queen's army. (Hear, hear.) Clergymen, the preachers of peace, would appear to have a belligerent progeny, for 580 cadetships had been given to their sons (hear, and laughter), and the remaining 2,315 had gone to the middle classes of society. (Hear, hear.) I have no hesitation in expressing my firm convictioa —and I feel sure that all my colleagues would say the same—that not one of these cadetships had been given away for party purposes.* (Hear, hear.) When the subject of patronage is considered in a higher point of view, as operating on parties in this country, what do we see? Of course, the party in office at the time took care to sanction only as Governor-

* Vide Appendix, No. 11.

General one of their own side in politics. There was a proof of this in the case of Lord Heytesbury. No sooner had that noble lord been appointed than the Whigs came into power; and though Lord Heytesbury had embarked, they immediately put a silver oar on board the vessel on which he was, and brought him back. In fact, just as parties were in or out, so were the ins and outs of Governors-General of India likely to be. That was dangerous, to say the least of it. (Hear, hear.) There was a mistaken impression in the country that the appointment of the Governor-General originated with the President of the Board of Control. Such was not the case; but the course of proceeding was this:—the Chairman of the Court of Directors, having ascertained the feelings of the majority of the Court, proposed a certain name to the President of the Board of Control, and in case that name proved acceptable it was submitted to the Court of Directors and the appointment was made by ballot, and he was sworn in as a Company's servant in the same manner as a youthful cadet would be. But as the President of the Board of Control could veto any name proposed, the practical result was that a party man only would be accepted; the Directors, however, by the power they possessed, being able to prevent the appointment of an admittedly incompetent or dangerous person; and in consequence, with rare exceptions, the Governors-General and Governors of Presidencies had been men of ability. Not so with the great military commands; and it had been the curse of India, that the Court of Directors

had no power to object to any military nominee for high command. Those appointments were made by the War Department. It was simply communicated to the Court that so and so had been appointed Commander-in-Chief or General on the Staff, and he was sworn in as a matter of course, the only discretion which the Court had power to exercise being as to whether or not they should make him a member of Council. The consequence of the absence of all control on the part of the Court in the appointment of Commanders-in-Chief had been most unfortunate for India and damaging to our reputation. Sir J. Cradock—a military martinet, ignorant of the prejudices and feelings of the Madras soldiery—interfered with the religious usages of the sepoys, and a mutiny in the Madras army was the result. An amiable but incompetent man in bad health was appointed to command the Cabul force, and the result of his want of energy or bad health was that the whole of that force was lost, and their bones lie bleaching in the passes of Affghanistan. I witnessed in the Court of Directors the appointment of a Commander-in-Chief who, after having been sworn in, had to return thanks. That Commander-in-Chief was so feeble that he could scarcely rise from his chair, and I believe that he never mounted a horse in India. I have seen another Commander-in-Chief sworn in with sight so defective that on retiring from the court he would have run against the edge of a screen but for the interposition of a Director. (Laughter.) Again, there had been the appointment of a Commander-in-

Chief, an amiable man, a loveable man, and, I am told, an able man, and one much liked where he had been; but he had never been out of Europe, and was necessarily entirely ignorant of the country and the people of India, and of the peculiar constitution of an Indian force, and as such he ought not to have been placed at the head of the Indian army, and we had now to deplore for the second time the mutiny of an entire army upon religious grounds. Whatever alterations may take place in the Government of India, I trust that some provision will be made that the officers sent out in future to command the Indian armies, shall, at all events, be free from physical infirmities, and shall have some knowledge of the country and of the natives. (Hear, hear.) A very large amount of patronage in India lay under the surface; it consisted of the uncovenanted offices, which were very numerous indeed, amounting to some thousands. Honourable members all knew from experience the solicitations for appointments to which they were subjected from certain of their constituents, and I fear that these solicitations will be increased if the check of Leadenhall-street be withdrawn in the case of appointments of this description, which hitherto have been left entirely with the local authorities in India, but which might be interfered with by recommendations from home under a direct Government; and Brown, Jones, or Robinson, *protégés* of members, might find themselves with snug berths, whether they were adapted to them or not, at the cost of the interests of India. Let the House reflect that the

proposed Bill would give to the War Department and Horse Guards the additional patronage of an army of 300,000 men—the control, if not the direct nomination to all staff offices in India, and the Minister would directly nominate to all great civil offices, and might indirectly nominate to all other civil offices whatever!* Would the House consider the constitu-

* A French Criticism of the Indian Government Scheme.—The *Débats* describes the character of the new India Bill brought in by the English Government, and, while admitting the unsatisfactory rule of the East India Company, it is not blind to the imperfections and disadvantages of the system now projected. "If the East India Company (says that journal) has existed up to the present moment, it is because, in spite of successive reductions of its former power and privileges, the idea of transferring its administration to a Ministry had never been seriously entertained. This is to be attributed, not to any sympathy on the part of the nation for the Company, but to want of confidence in the Government. To place in the hands of a political party the immense resources of the Indian administration would be tantamount to offering it the means of remaining in power, without reference to the tendencies of its policy. England cherishes the idea of political parties, and of being governed by them, and she is persuaded that the control exercised by one party over the other forms the best guarantee of a good government. Public opinion takes an interest in their struggles, and interferes with its advice. But this intervention would be difficult in matters concerning India. Doubtless, when a great catastrophe endangers the existence of the most splendid conquest of England, public opinion is roused, and seeks the responsible party; but this does not prevent people in England from being very imperfectly acquainted with the most important measures connected with the special administration of India. The public has taken part neither for the Company nor for the Crown; and it is known how displeasing to the members of the House of Commons was any discussion on Indian questions before the attention of England had been forcibly directed to the destinies of her colony by the present sepoy revolt. We will take another point of view. Let us suppose a Cabinet to be overthrown on a

tional liberties of the country safe by such gigantic influence being in the hands of military and political question of supplies, of reform, or of policy—questions with which the public is perfectly acquainted; then would the Government of India, if administered by a Minister, be affected by circumstances foreign to its mission, and would be led to lend its support to a measure in no way connected with the wants and advantages of its subjects. These are inconveniences which are not presented by the present system. The latter may be faulty and behind the times, but it gives to the Government of India an independence which is necessary to it."

GERMAN OPINION ON THE "COUP D'ETAT."—*From the Trèves Gazette.*—"Except a few patriots like Mr. Urquhart, the current of 'public opinion' runs at present for the abolition of the East India Company. Let us consider the consequences—very different from what the mass of Englishmen seem to imagine—that such a step, may be in a remote future, would be sure to exercise an influence on the internal state of England, consequently on the fate of the world. Englishmen delight in talking of responsibility; they will be responsible for that step, but before a tribunal the decrees of which do not remain unexecuted! History, our poet says, is judgment. Few Englishmen remain in India for life servants of the Company and servants of the Crown will in future form one class. England will by-and-by be filled with officials, trained in a system of administration incompatible with constitutional government. To imagine that the annexation by England of the territory of the East India Company would tend to transfer notions and manners of law and freedom from England to India, instead of bringing our Anglo-Indian ideas and positions to England, may suit some benevolent country gentleman, some peace piper trading amongst other goods in Christianity, and some German baccalaureus of philosophy. The patronage of thousands of appointments to be augmented in an enormous ratio, if the future Government of Oude is to be carried on in the teeth of native religion and custom, this patronage till now exercised by a body unaffected by Parliamentary politics, will, if handed on to the Minister, enable him to treat the Opposition, that were to be for all safeguards of the laws, as a set of speechmakers without hope, and declaimers without harm. Nobody has till now complained how the appointment of

servants of the Crown in this hitherto free country?* (Hear, hear.)

In the change which it is proposed to make in the Government of India, I trust that the past management of our colonies is not to be the model

a 'special' Minister for India is to avert this obvious danger. As a Minister, he will continue to be a member of the Cabinet; and he could not disconnect his Indian policy from the European policy of his colleagues, unless he were to adopt the beautiful discovery of M. Nisard, of the French Academy, of the 'two consciences,' public and private. There would be no lack of occasion to enrich such a double Government by various deputy consciences to meet various exigencies. A provision, that the Indian Minister should be unconnected with party politics would, of course, prove a more proper guarantee. But then universal suffrage is to be introduced. The general theory of universal suffrage ought to be corrected by what has happened in France; any special delusion about its working in England may be corrected by attending a single public meeting and listening to the amount of ignorance and nonsense it produces. The proposed reforms are a *coup d'état.* They will not make India better, but England worse." [The article from which the above is taken is entitled, "The East India Company and English Freedom."]

* As a proof of the advantage of the Court of Directors having the power of appealing to pubic opinion, the case of the Oude bankers may be adduced.—These men in 1833 endeavoured through Parliamentary influence to compel the Court of Directors to instruct the Indian Government to obtain from the King of Oude payment of Rs. 11,58,700 (115,870*l.*) with 36 per cent. interest, said to have been lent to the King's PREDECESSOR in 1787.—The Board of Control took part with the bankers, and directed the Court to send instructions to India to have the claims liquidated; the Court, knowing thoroughly the fraudulent nature of the transactions, resisted,—the Board of Control applied for a mandamus, and the Court resolved to go to prison; but the Board of Control, not choosing to risk the expression of public opinion upon the case, withdrew the mandamus, and the Court had thus the gratification of having saved the King of Oude from nefarious plunder.

on which the Government is to be framed; for that afforded but a sorry guarantee for success in the future conduct of Indian affairs. Were we to go through the ordeal of a battle with India, and possibly, ignominious defeats similar to those with the North American States, ending in final separation? Or were we, as in Canada, to force a rebellion and acknowledge independence? Or, as in the Cape of Good Hope, produce resistance to imperial authority, Kafir wars (at the cost of three millions sterling), and virtual independence? Were we to have Parliaments with the twenty nations of India, after the fashion of Australia? or were we to reduce India to poverty and ruin, like the West India colonies? or provoke rebellion and outbreaks every two years, as in Ceylon, despite its vaunted administration by governors whose average duration of office was two years and ninety-nine days, as held up for the approval of the House by the honourable member for Devonport, in utter oblivion of the past history of the island! I assert that India would not be safe in the hands of men wholly ignorant of the country and of the habits and temperament of the people, and that there could be no guarantee for the security of that great empire unless it were governed by experienced men who were thoroughly acquainted with India and the varied institutions of her twenty nations. (Hear, hear.)

I come now to a subject of grave importance to Liberal members on the Ministerial side of the House and to the constitutional interests of the country. Let me illustrate every Liberal member's

position by my own. I am a Liberal,—it may be something more,—but I call myself a constitutional Whig—for the present. (A laugh.) At Aberdeen I assured my constituents that I would do all in my power to assist in carrying a Reform Bill. But for what object was this Reform Bill so loudly demanded by the country? Was it to increase the power of the Minister, or was it to increase the influence of the people in that House, and to diminish the power of the Prime Minister? Well, sir, if the latter alternative be the universal expectation, and I should go back to my constituents, which I trust I shall do, with a Reform Bill in my hand, how on earth, in case I voted for the noble lord's India Bill, could I meet the taunts of my constituents, who would say to me, "Sir, you voted, indeed, for the Reform Bill, but in the same breath you voted for an India Bill, which will make the Prime Minister the despot of the House of Commons." (Loud cheers.) It may be my misfortune that I have read Locke, and that my mind has been somewhat trained to logical deductions and to acknowledge the power of a syllogism, and that I cannot consider free institutions compatible with the powers of an autocrat, and that consequently I must have voted against the noble lord's bill upon constitutional grounds, and wholly independent of any personal considerations whatever. (Cheers.) Liberal members around me, who propose to vote for the India and Reform Bills, may have that power, which I cannot claim to possess, of explaining, to the satisfaction of their consti-

tuents, the dilemma in which it appears to me they must be placed by such votes.

The noble lord of course expected that his proposed system of governing India would be characterized by a consistent and permanent policy; but how was it possible to have a consistent and permanent policy for India while the Minister for India went out with every change of administration? (Cheers.) What would have been the result of the constant changes of administration that had been made in past years if India had not had that "consistent and permanent" body which this bill would annihilate? From the year 1784, in which Pitt's bill—which he must say was infinitely more liberal than that proposed by the noble lord (cheers)—was introduced, there had been twenty-eight Presidents of the Board of Control, making the average duration of official life just 31½ months. Was it possible for any man whose official life did not exceed 31½ months to administer any government upon a consistent and permanent policy? But the *permanent* Court of Directors prevented the evils which would otherwise have resulted from these frequent changes. I will not say whether the noble lord wished, by introducing this Bill, to compensate himself for the loss of power which his Reform Bill would occasion him (laughter); but that idea possibly may have intruded itself. Sir, I have demonstrated to the House that there is no foundation in fact for the noble lord's statement, that the acts of the Court of Directors impede the machine of Government, and that it is therefore necessary to abolish the East India

Company. Admitting, however, the existence of impediments; they have been in operation for three quarters of a century, and have been compatible with great material and moral progress in India, and consequently there can be no immediate pressure for a change of government, which will alarm the people of India, and indeed be a premium to mutiny. Have the members of the Court of Directors also, no claim to consideration; men of position, ability, and reputation, who as the executive portion of the Home Indian Government have in no instance failed in their duties. Who in fact hold their offices for terms of years by elections under an Act of Parliament, which, if the noble lord can induce the House to abrogate, then no charter or rights of any corporation whatever will be safe. As the noble lord has not adduced any sufficient public grounds, there surely must be some latent grounds for crushing the Court of Directors, and holding them up to degradation in the eyes of Europe; for their summary and unexpected dismissal must necessarily have that effect. Does the noble lord mean to attribute the mutiny in the Bengal army to the maladministration of the Court of Directors, when the supreme Government has told him it came as unexpectedly upon it as upon the authorities in Europe. It cannot be that the noble lord gives credit to the crude assertion that, in the present bloody contest in India, the Queen's name would be equivalent to an army of 20,000 men. The honourable member for Reigate, who was very deservedly cheered the other night for

the ability he possesses as an antiquarian—(great laughter)—told them that the Queen's name was a host. That honourable gentleman had spoken of his experience of thirty years, but it had been chiefly in Mahomedan countries out of India; for, to qualify him to take his seat in the India Direction by having passed ten years in India Proper, it was necessary to have recourse to the Ayeen Akbari, or institutes of Akbar, and to admit that Affghanistan, in which the honourable member had served, was once a province of India Proper. Now, the honourable member must know, or ought to know, perfectly well, that there had not for six centuries been a Queen upon the throne of Delhi, nor a Queen upon any one of the five Mahomedan thrones of the Deccan. He ought to have known also that the Mahomedan law did not permit a female to succeed to the administration of political authority;* and it was equally the rule and usage with the Hindoos. It was quite impossible for the natives of India to appreciate the affectionate loyalty, the devotion, and, in fact, the love—if I may use such an expression—which Englishmen entertain for their Queen—(cheers)—and which I most heartily and devotedly entertain; but if the Government of India were at present to be transferred to the Crown, the Queen's name amongst the Mahome-

* No Mahomedan lady can let her face be seen by any man excepting her husband or very near relatives, and it is credibly asserted that the face of the late poor Queen of Oude had never been seen by a male stranger from the moment she quitted her palace at Lucknow until her death at Paris last month. Her voice was only heard from behind a curtain!

dans would be introduced as "Padisha Begum"—(laughter)—that is to say, the Wife of the King, and it would be asked, "but where is the King?" (Hear, hear.) Amongst the Hindoos, who were equally opposed with the Mahomedans to the exercise of administrative political authority by females; the Queen's appellation would be "Maharanee," Wife of the King or Prince. There had been one or two occasions on which females had been regents for their sons, but a male has always been the object of regal succession.

The statement of the honourable member for Reigate, therefore, was not supported by historical facts, nor by the usages or expectations of the people of India. With all anxiety, therefore, to introduce the Queen's name, let not her name be introduced under a misunderstanding of the supposed effect. Let us have the Queen's name by all means on a proper occasion and at a proper time, but the present is not the proper time. (Loud Opposition cheers.) There is surging in India a feeling which may burst out from one end of that country to the other—from the Himalayas to Cape Comorin. (Cheers.) I ask myself calmly but seriously, "What effect will a present change of Government produce in India?" and my reply is, "The Sepoys and those connected with them will say, 'Oh, this mutiny of ours has succeeded, at all events, in putting down one Government (loud cries of hear, hear)—we have only to try again and we shall get rid of another.'" (Hear, hear.) The present agitation in India ought to be

allowed to subside, the people to be tranquillized, and their fears to be allayed, before any idea of changing the Indian Government is entertained by Parliament; for was it not well known that in many parts of India the remnant of native troops that had remained faithful mutinied not only at the eleventh hour, but at the eleventh hour and fifty-ninth minute, and rushed to certain destruction, because on hearing of the arrival of additional European troops in India they were seized by a fear, and the change of Government would strengthen that fear with all inculpated, of being exposed to European vengeance? Their belief was that the Europeans were coming for the express purpose of putting them to death with degradation, and they preferred death without degradation; the people at large also would consider the change of Government intended to carry out the exclusive views expressed by the Europeans of Calcutta and by part of the press in England; and most of all would they believe that the change was intended to carry out the views promulgated from the pulpit and the platform at religious meetings. It was perfectly absurd to suppose that we could govern India without a very large native army (hear, hear), or that we could retain such an army without to some extent consulting its prejudices. (Hear, hear.) The present vivid impressions from the blowing away from guns, and from the almost unrestrained power of multitudinous hangings, which Lord Canning has so humanely and judiciously endeavoured to limit, (loud cheers,) and the religious panic about caste

degradations would have passed away, or be so weakened, ere long, that a change of Government might be effected without its object being misconstrued or dreaded: but my decided opinion is, that it would be wise to let that administration alone which has been not only compatible with, but has promoted the material welfare of the nations of India and the development of the resources of the country. I care not what form of government it is,* provided it protects

* "Sir, what we want is a body independent of the Crown, and no more than independent, which shall be neither the tool of the Ministry nor of the Opposition. It is not easy in a country like this to constitute such a body; none I have heard suggested would be such a body. The East India Company, strange as its constitution may appear, is such a body. Whatever charges may be brought against it, whether it does act rightly or wrongly, it does not act from political considerations."—*Speech of Mr. Macaulay, India Debate*, 1833.

The Marquis of Lansdowne acknowledged the advantages that had resulted from the administration of the Company in keeping the interests of India excluded in a greater degree than they otherwise could have been from the several chances and changes of party in this country, and as an intervening body in the possession of patronage which would otherwise be scrambled for by the gladiators of Parliament."—*Speech of Marquis of Lansdowne, India Debate*, 1833.

"The real dangers of British India will commence from the day when the party spirit of the British Parliament shall be brought to bear directly on its administration."—*Lord Metcalfe.*

"There is another body of persons on whose behalf I wish to say a few words. The noble and learned lord on the woolsack did not throw any reflection on the Court of Directors, but the noble and learned lord opposite (Lord Plunket) did do so. My lords, I must say that the conduct of the Court of Directors, in this transaction, reflects great honour on them. It does not matter to them whether the recommendation of Mr. Grant be adopted or not, they are in no

the rights and privileges of the people, insuring to them equal justice with their European fellow-subjects: and if Parliament should insist upon the abolition of the so-called Double Government, then let its initiative be the doing away with the Board of Control (great laughter and cheers),—introducing the Queen's name,—the constituting a Council sufficiently numerous to do the work of administering an empire of 181 millions of souls,—placing at its head a Minister of the Crown, with the same powers and functions, and standing in the same relation to the Council as the Governor-General of India does to his Council, and the giving to that Council an assur-

respect interested except as the guardians of the honour and good faith of the administration of India; as such, acting upon their responsibility, acting in the discharge of their duty to those who elected them, and the people of India, they are determined to resist the order of Mr. Grant."—*Lord Ellenborough's Speech in the House of Lords, 5th May*, 1833.

I cannot conceive anything more disadvantageous to the people than their being made the sport of party passions and political feelings which take place in this country.—*Mr. Charles Grant, India Debate*, 1833.

"My own opinion is, that nothing would be more dangerous than to give the Crown the whole control of the thousands upon thousands of the population in that part of the British dominions."—*Speech of Lord John Russell, India Debate*, 1853.

"Is this system to be legally set aside? Is this form of government to be hastily rejected? We have the advantage of the opinions of Sir Robert Peel and the Duke of Wellington in favour of that system of government. They never hesitated or doubted, amid all our difficulties, that those difficulties would be overcome; and if they were now alive, I am satisfied that they would counsel and entreat you, as I now do, not hastily or rashly to tamper with such a system."—*Speech of Sir James Graham, India Debate*, 1853.

ance of independent action. (Loud cheers.) Above all things I beseech the Liberal gentlemen in this House to preserve the elective principle. (Renewed cheers.) If their professions to their constituents be worth a rush they will do so. (Laughter.) India might then be governed entirely free from party feelings. Sir, I have been compelled to trespass upon the House at some length in detailing my views, and I will conclude with the words of a resolution which was unanimously agreed to at a meeting of the East India Company after a debate of four days,—a debate conducted with an amount of eloquence, ability, and of prudence which would have done honour to this House. That resolution was—

"That the proposed transfer of the governing powers of the East India Company to the Crown is opposed to the rights and privileges of the East India Company, is fraught with danger to the constitutional interests of England and is perilous to the safety of the Indian empire." (Loud cheers.)

APPENDICES.

Appendix No. 1.

Progress of Revenue for Decennial Periods.

Bengal.		Madras.		Bombay.	
1809–10.	1849–50.	1809–10.	1849–50.	1809–10.	1849–50.
Nett Revenue. £. 7,151,037	Nett Revenue. £. 13,700,809	Nett Revenue £. 3,620,607	Nett Revenue. £. 3,478,651	Nett Revenue. £. 466,716	Nett Revenue. £. 2,330,638

1809–10.		1849–50.	
£7,151,037	Bengal.	£13,700,809	Bengal.
3,620,657	Madras.	3,478,651	Madras.
466,716	Bombay.	2,330,638	Bombay.
£11,238,410	Nett Total.	£19,570,098	Nett Total.

Appendix No. 2.

Exports and Imports of India.

Exports from India.			Imports into India.		
1834–5.	1855–6.	Increase per cent.	1834–5.	1855–6.	Increase per cent.
£. 7,993,420	£. 23,039,268	188·22	£. 4,261,106	£. 13,947,657	227·32

Export of Cotton.

To England.			To all Ports (England Inclusive.)		
1834–5.	1855–6.	Increase per cent.	1834–5.	1855–6.	Increase per cent.
lbs. 38,268,402	lbs. 170,771,510	346·24	lbs. 98,320,050	lbs. 237,179,949	141·23

Appendix No. 3.

Statement of Area, Population, and Revenue of the North Western Provinces, showing the Population per Square Mile, and the rate per Head per Annum contributed by the Population.

Divisions.	Districts.	According to the Census prepared in 1852-53.			For 1854-55.							
		Area.	Population.	No. of Souls to each Square Mile.	Land Revenue.	Abkaree.	Stamps.	Miscellaneous and Sayer.	Customs.	Grand Total.	Pressure of Taxation per Head.	
					Rupees.	*Rupees.*	*Rupees.*	*Rupees.*	*Rupees.*	*Rupees.*	*s. d.*	*Rs.*
Delhi	Bhutteana	3,017	112,974	37	1,41,936	—	5,538	639	53,171	2,01,284	3 6¾ or	1·78
	Paneput	1,269	389,085	306	8,18,272	7,046	10,092	5,412	....	8,40,820	4 3¾ „	2·16
	Hissar	3,294	330,852	100	4,66,287	3,748	7,676	867	7,91,018	12,69,596	7 8 „	3·83
	Delhi	789	435,744	552	4,41,688	60,965	68,803	7,387	11,66,237	17,45,080	8 0 „	4·00
	Rohtuck	1,340	377,013	281	6,31,166	3,411	11,710	1,145	....	6,47,432	3 5 „	1·71
	Goorgaon	1,939	662,486	342	10,58,769	6,295	15,148	2,964	13,81,019 A	24,64,195	7 5 „	3·71
Meerut	Dehra Dhoon	673	32,083	47	42,697	19,298	4,040	1,23,260	....	1,89,297	11 9½ „	5·90
	Saharunpore	2,162	801,325	370	10,81,962	39,336	50,195	3,155	....	11,74,648	2 11 „	1·46
	Moozuffernuggur	1,646	672,861	408	11,09,954	35,490	21,489	3,858	....	11,70,791	3 5⅝ „	1·74
	Meerut	2,200	1,135,072	515	17,03,096	84,045	54,246	7,642	....	18,49,029	3 2⅝ „	1·62
	Bolundshuhur	1,828	778,342	425	10,69,629	14,829	23,430	8,284	....	11,16,172	2 10¼ „	1·43
	Allygurh	2,153	1,134,565	527	19,74,086	37,874	68,959	12,593	....	20,93,512	3 8 „	1·84
Rohilkund	Bijnore	1,900	695,521	366	12,03,606	19,625	25,062	7,181	....	12,55,474	3 7 „	1·80
	Moradabad	2,698	1,138,461	422	13,47,988	39,655	69,970	5,142	....	14,62,755	2 6½ „	1·28
	Budaon	2,401	1,019,161	424	11,19,810	41,269	45,709	3,045	....	12,09,833	2 4¾ „	1·18
	Bareilly	3,119	1,378,268	442	17,76,815	1,24,152	91,670	21,098	....	20,13,745	2 11 „	1·46
	Shahjehanpore	2,308	986,096	427	10,59,334	87,651	31,117	2,147	....	11,80,249	2 4½ „	1·19
Agra	Muttra	1,613	862,909	535	16,65,735	30,589	31,041	1,787	....	17,29,152	4 0 „	2·00
	Agra	1,864	1,001,961	537	16,13,076	50,352	94,063	4,361	19,66,885	37,28,737	7 5½ „	3·72
	Furruckabad	2,122	1,064,607	501	13,36,845	1,19,639	69,677	2,035	....	15,28,196	2 10¼ „	1·43
	Mynpoorie	2,020	832,714	412	12,63,362	34,572	36,541	963	....	13,35,438	3 2½ „	1·60
	Etawah	1,677	610,965	364	12,74,134	21,414	15,621	4,861	....	13,16,030	4 3½ „	2·15
Allahabad	Cawnpore	2,348	1,174,556	500	21,39,950	1,43,460	61,277	8,844	....	23,53,531	4 0 „	2·00
	Futtehpore	1,583	679,787	429	14,25,680	65,965	25,942	989	....	15,18,576	4 5½ „	2·23
	Humeerpore B	2,694	605,589	225	11,33,694	30,176	10,412	1,824	....	11,76,106	3 10½ „	1·94
	Banda	3,009	743,872	247	15,94,652	42,017	26,119	17,135	....	16,79,923	4 6 „	2·25
	Allahabad	2,788	1,379,788	495	21,28,777	1,43,992	77,203	2,645	4,21,271	27,73,848	4 0 „	2·01
Benares	Goruckpore	7,340	3,087,874	421	21,27,749	2,03,386	1,13,514	53,178	....	24,97,827	1 7 „	0·80
	Agimgurh	2,516	1,653,251	657	14,90,890	1,01,372	64,874	3,782	....	16,60,918	2 0 „	1·00
	Jounpore	1,552	1,143,749	737	12,53,786	68,990	50,217	3,318	....	13,76,311	2 4¾ „	1·20
	Mirzapore	5,152	1,104,315	214	8,39,509	1,03,930	54,474	20,585	1,19,438	11,37,936	2 0½ „	1·03
	Benares	995	851,757	855	9,03,645	1,56,876	72,012	4,023	....	11,36,556	2 7½ „	1·33
	Gazeepore	2,181	1,596,324	732	15,09,405	1,19,905	1,03,535	2,462	....	17,35,307	2 1¼ „	1·08
Total Regulation Districts		76,190	30,473,927	399	4,07,47,984	20,61,334	15,11,376	3,48,611	58 99,03	5,05,68,344	3 3½ or	1·65

Non-Regulation Districts from Census of 1847-48, the latest date.					For 1854-55.							
Divisions.	Districts.	Area.	Population.	No. of Souls to each Square Mile.	Land Revenue.	Abkaree.	Stamps.	Miscellaneous and Sayer.	Customs.	Grand Total.	Pressure of Taxation per Head.	
					Rupees.	*Rupees.*	*Rupees.*	*Rupees.*	*Rupees.*	*Rupees.*	*s d.*	*Rs.*
Saugor and Nerbudda Territories	Saugor	1,857	305,594	165	7,87,114	27,598	26,320	6,578	....	8,47,610	2 6	or 1·26
	Dumoh	2,428	363,584	149								
	Jubbulpore	6,237	442,771	71								
	Seonee	1,459	227,070	156	6,46,631	51,500	26,124	8,544	....	7,32,839	1 7¼	„ 0·81
	Mundla	6,170	225,092	36								
	Hoshungabad	1,916	242,641	127	4,81,877	64,443	17,637	2,991	....	5,66,948	3 4½	„ 1·69
	Baitool	990	93,441	94								
	Nursingpore	501	254,486	508	3,16,842	17,976	13,387	1,836	....	3,50,041	2 8¾	„ 1·37
	Jaloun D.	2,313	246,297	106	13,76,936	23,121	7,535	20,893	....	14,28,485	11 6¼	„ 5·79
	Jhansee	1,394	300,000	215	4,97,058	14,253	4,497	2,423	2,68,409 E	7,86,640	5 2¾	„ 2·62
	Chundeyree	556	87,260	157	1,21,716	5,026	1,581	2,107	....	1,30,430	2 11½	„ 1·49
Jawud Neemuch	Jawud Neemuch	443	84,866	191	3,55,788	6,221	765	5,834	....	3,68,608	8 8	„ 4·34
Nimar	Nimar, British and Scindias F.	269	25,727	96	1,50,008	18,636	....	24,511	....	1,93,155		
Ajmere	Agmera, including all Mairwara G.	2,891	287,290	99	3,02,274	8,284	11,160	5,606	112,147	4,39,471		
Kumaon	Kumaon	11,972	605,830	50	2,01,804	4,262	11,704	9,544	....	2,27,314	0 8½	„ 0·37
	Gurwhal											
Total Non-Regulation Districts		41,396	3,791,949	91	52,38,048	2,41,320	1,20,750	90,867	3,80,556	60,71,541	3 2¼	or 1·60
Grand Total		117,586	34,265,876	291	4,59,86,032	23,02,654	16,32,126	4,39,478	62,79,595	5,66,39,885	2 3½	or 1·15

A. Collection of the Hodul customs division.
B. Including non-regulation Pergunnah of Mahobah and Jeitpore.
D. Including all Kutchwahagurk.
E. Collections of the Calpree and Rajpore customs division.
F. Area and population for British Nimaur alone.
G. Including all Mairwarra for revenue, but the area and population are for Ajmere and Mairwarra.

Appendix, No. 4.

AREA, POPULATION, AND REVENUE OF THE BOMBAY PRESIDENCY.

Return of the Area, Population, and Revenue of the Bombay Presidency, showing the Population per Square Mile, and the Pressure of Taxation per Head for each District of each Division for 1854-55.

Collectorate.	Area.	Population according to the Census of 1851.*	Number of Souls to each Square Mile.	Government Land and Sayer Revenues for the Land Revenue Year 1854-55.	Land and Sayer Revenues on each Sqare Mile.	Pressure of Taxation on each Inhabitant.
	Square Miles.			*Rupees.*	*Rupees.*	*s. d.* *Rs.*
Bombay	20	520,758	26,037	1,68,347	84,17,35	0 7¾ or 0·323
Ahmedabad	4,402½	653,730	148	14,14,271	3,21,279	4 3¾ „ 2·163
Kaira	1,375	580,631	422	15,85,472	11,53,070	5 5½ „ 2·750
Surat	1,482	493,934	333	19,74,754	14,61,698	7 11¾ „ 3·999
Broach	1,351	290,984	215	16,97,701	11,45,547	11 8 „ 5·832
Khandeish	12,078	785,744	65	22,13,044	1,83,229	5 7½ „ 2·816
Tanna	5,400	874,570	161	20,01,322	3,70,615	4 6¾ „ 2·288
Poona	5,250	698.587	133	921,815	1,75,583	2 7½ „ 1·319
Ahmednugger	10,078	1,002,733	99	15,31,956	1,52,009	3 0¾ „ 1·527
Scholapore	8,565	685,587	80	9,92,323	1,15,857	2 10½ „ 1·447
Rutnagr	4,500	665,238	147	7,57,210	1,68,268	2 3¼ „ 1·138
Belgaue	6,515	1,035,728	158	13,68,842	2,10,106	2 7½ „ 1·321
Dharwar	3,790	757,849	199	15,23,551	4,01,992	4 0 „ 2·010
Sattara	11,000	1,219,673	110	15,15,950	1,37,813	2 5¾ „ 1·242
	75,806½	10,265,746	135	1,96,66,558	2,59,432	3 9¾ „ 1·916

* No census of the collectorates forming the northern and southern divisions of the Bombay Presidency, and of the town of Bombay (including Colaba), has been taken since 1851. During the past year it was determined that one should be taken during 1856, but owing to unforeseen circumstances it has been found necessary to defer doing so for another year.

Statistal Office, East India House,
16th February, 1858.

(Signed) M. Hornidge.

Appendix, No. 5.

Comparative Statement of Population, Revenue, and Pressure of Taxation in British India, and the United Kingdom.

India.								United Kingdom.			
Governments.	Population.	Population to the Square Mile.	Revenue, including salt, opium, & stamps, inclusive, of charge of collection, 1850-51.	Pressure of Taxation per Head.	Pressure of the Salt Tax.	Wages of an Agricultural Labourer per ann. 6s. per month.	Per-centage of Taxation per Head to Wages.	Population of the United Kingdom, 1851.	Total Revenue of the United Kingdom, 1851.	Pressure of Taxation per Head.	Per-centage of Taxation per Head to Wages. At 10s. per week.
			£.	s. d.	d.						
Bengal*	41,927,750	181	9,775,679	4 7¾	6¼	—	—	—	—	—	—
N. W. Provinces	25,730,136	254	6,087,807	4 8¾	3½	—	—	—	—	—	—
Punjaub†	4,100,983	52	1,276,252	6 2½	9½	—	—	—	—	—	—
Madras	22,301,697	166	4,742,690	4 3	5	—	—	—	—	—	—
Bombay	11,109,067	92	4,408,752	7 11	5	—	—	—	—	—	—
Total	105,169,633	158	26,291,180*	4 11¾	5¼	£3 12 0‡	6·94	27,452,262	57,401,011	£21 9¾	8·04

* Including mint duties, post office collections, stamps, Calcutta excise, miscellaneous, civil, and revenue, judicial fees and fines, land, sayer, abkany, &c., customs, salt, opium, interest on arrears of revenue, macine, moturpha, and tobacco.

† Chiefly estimated population.

‡ The rate of wages issued to 2,000 men employed on the Calcutta and Bombay mail roads.

The figures thus show that the pressure of taxation is under five shillings per head in India, and 2*l.* 1*s.* 9¾*d.* in England, and this taxation in relation to wages is under 7 per cent. in India, and above 8 per cent. in England. But these results only throw a partial and inferential light upon the real condition of the people; for five shillings may be a crushing tax in India, and 2*l.* 1*s.* 9¾*d.* light in England; and it is necessary to know how far the labouring classes in the respective countries can command the necessaries and comforts of life. John Bull's idea of necessaries and comforts is a good deal based upon the quantity of beef and beer a labouring man can command; and it might shock his beau-ideal of comfort to put the water-drinking, cereal-consuming, and scantily clothed Indian into the same category of comfort with himself. Nevertheless, as the climate neither invites the consumption of stimulating food nor drink, nor permits of heavy clothing, I may venture to say that the Indian labourer with his cereal food, in many parts of the country costing even less than a penny per diem (as I showed in a paper on prices, published in the "Journal of the Statistical Society," on the 29th of June, 1847), and his fractional cost for house rent, with his 72*s.* per annum, has his physical wants as readily available, and is comparatively as contented and comfortable as the English labourer with his 26*l.* per annum. Poverty and wretchedness exist in all countries; but this much I can say, that in similar limited areas I never witnessed in India such an amount of squalid misery as it has been my misfortune to witness in my personal inquiries, in London and elsewhere, into the condition of the labouring classes.

The salt tax is a subject for invective, and a few words must be said on it. The table shows that its average pressure for India is 5¼*d.* per head per annum, or 164th part of an agricultural labourer's wages; but I have proved, in the paper upon prices before quoted, that two shillings worth of salt, of even the best kind, which the people do not consume, would last a labourer 13½ months, and cost about the fourth of a farthing per diem; and where it was cheap, as at Kheir, in the Deccan, it would last thirty-five months, and cost 0·025 of a penny per diem; the outcry about the cruelty of the salt tax therefore is simply ridiculous. The earth, which is said to be clawed up, to be eaten, is commonly carbonate of soda, used by washermen instead of soap.

W. H. Sykes.

London, April 14th, 1853.

Appendix, No. 6.

Prices of the Cerealia and other Edibles in India and England compared.

Extracts from a Paper published in the "Journal of the Statistical Society of London," for November, 1847, headed, "Prices of the Cerealia and other Edibles in India and England compared," by Colonel Sykes, F.R.S.

The reduction of the local measures of Table II. into Indian measures was effected by Mr. Chapman, and must have been a work of infinite labour, as he had to ascertain the exact value of each local seer. The annual averages in Indian seers, so reduced, were converted by me into avoirdupois weight, and consequent upon that last conversion the price per quarter English has been determined, and the following are the results:—

	Indian Seers per Rupee, average of 19 Years.	Indian Seers in Avoirdupois weight.	Prices per Quarter English.
		lbs. oz.	s. d.
Wheat.....	$31\frac{5}{16}$	64 5	14 10
Rice.....	$17\frac{17}{19}$	36 13	0 $0\frac{7}{10}$ per lb.
*Gram	$29\frac{13}{19}$	60 5	15 11
†Bajra	$40\frac{7}{19}$	82 10	11 7
‡Jowaree	$48\frac{4}{16}$	100 8	9 6

It is thus shown that an average of years gives 64 lbs. 5 oz. of wheat for 2*s.*, 36 lbs. 13 oz. of rice, and 100½ lbs. of that nutritious grain, jowaree (*Holcus sorghum*), for 2*s.*; a sufficiency to support a man for two months at least, if the dietary in the prisons of the North-Western Provinces and Bengal be taken as a standard. In these prisons the daily allowance to a convict is from 1 to 2 lbs. of wheaten flour, regulated by the nature and duration of the hard labour to which the convict may be condemned. But Table II. shows that in 1828 the average price of jowaree gave nearly 137 lbs. avoirdupois for 2*s.*, so that a man could support himself for much less than a halfpenny per diem, and get fat upon it. But if reference be made to Table No. I., it is seen that at Kulus in the years 1828 and 1843 there were 80 local seers of jowaree per rupee, or $99\frac{45}{80}$ Indian seers, equal to 204 lbs. avoirdupois, for 2*s.*, or more than 2 lbs. for a farthing, so that a man could live for less than a far-

* Cicer Arietinum. † Holcus Spicatum. ‡ Holcus Sorghum.

thing per diem for the cost of meal. In wheat it is seen that the average prices in 1828 and 1836 were 26¼ and 36⅝ Indian seers per rupee, equivalent to 74 lbs. and 75¼ avoirdupois. The above bread-grains, at such cheap rates, are within a moderate distance of the sea-coast. But Tables III., III*., and III**., carry us farther inland, and the cheapness is very much greater. These tables are from Colonel Sleeman, the Commissioner of the Saugor and Nerbuddah territories, and give the prices at seven markets within his commissionership from 1831 to 1840 inclusive, and from 1843 to 1846, both inclusive; but the prices of wheat, gram, and rice, only are given. In these tables it is shown that at Baitool in 1843 as much as 167 lbs. avoirdupois of wheat were sold for 2*s.*, and at the seven markets enumerated, the price varied in the year only from 5*s.* 6*d.* per quarter English to 6*s.* 8*d.* In succeeding years the prices were slightly enhanced, but in 1846 famine prices ruled, owing to the failure of the monsoon; that is to say, at Baitool the price of wheat, which in 1843 was 5*s.* 6*d.* per quarter, became 21*s.* 8*d.* But the average prices of wheat at the seven markets for the years 1843, 1844, and 1845, was 7*s.* 6¾*d.* per quarter: gram, similarly, was 7*s.* 7½*d.* per quarter, and rice, 4*s.* 4½*d.* per cwt. For the ten years preceding, from 1831 to 1840, the average price of wheat was 10*s.* 6*d.* per quarter (Table III**).

Appendix, No. 7.

Tenures upon which Land can be held in India.

Throughout the greater part of India, land is already private property, and cannot therefore be disposed of at the pleasure of the Government. Europeans may, however, under Act IV., of 1837, "acquire and hold in perpetuity, or for any term of years, property in land, or in any emoluments issuing out of land," in any part of British India.

It is only in districts like Goruckpore and the Deyrah Dhoon, where large tracts of waste land exist to which no individuals have any claim, that the Government have it in their power to make over the property in the land to applicants desirous of cultivating it. The terms adopted for grants in these districts were, a lease for forty years, under which one fourth of the land was to be rent free for the whole term and the remainder for three years, after which

the twentieth part of the rent assigned was to be paid, rising annually in twentieths, until at the end of the twenty-third year, the maximum rent of twelve annas (1*s.* 6*d.*) per acre would become due, and the land, subject to that payment, would be the absolute property of the grantee. Conditions were inserted in the lease to provide for the land being brought into cultivation according to stipulated annual proportions, on failure in which the portion of the grant found to be uncultivated, reverted to Government.

In the districts of Kumaon and Gurwhal, there are immense tracts of land suitable for tea cultivation, which are at the disposal of Government. These lands will be granted to persons possessing sufficient means and capital in lots of from 200 to 2,000 acres, one fourth to be free from assessment in perpetuity, and the remainder for four years, after which a rent of one anna (1½*d.*) per acre will be charged, rising annually by the same sum, until in the twentieth year, when the maximum rate of one rupee (2*s.*) per acre will be reached, after which the proprietary right in the grant vests in the grantee, who, in whatever manner he may cultivate the land, will never be called on to pay more than the average rate on grain crop lands in the same locality

Provisions are to be inserted in the lease to secure the land being cultivated with tea plants, which are supplied gratuitously by Government to the extent of their means.

Appendix, No. 8.

Orders of Court referring Despatches from India to their respective Committees.

At a Court of Directors the 10th December, 1834.

The Chairman acquainting the Court that sundry Despatches had been received from India since their last meeting, the undermentioned were read, viz., Political Letter from Bengal, No. 7, dated 8th May, 1834, together with its several enclosures, also, a letter from Sir Charles Theophilus Metcalfe, addressed Secretary, under date the 11th June, 1834 ; and a discussion having taken place as to the Committee to which the same should be referred, it was Ordered, that the said Despatches do lie on the Table of the Court.

17th December, 1834.

The Chairman, adverting to the Proceedings which the Court adopted on Wednesday last, when certain Despatches received from

Bengal were read ; and moving the Court, it was Resolved, that in future a List of Advices received from India be laid before the Court as hitherto; that the several Advices be referred, under the direction of the Chairs, to the respective Committees, whose duty it will be to consider of replies to be made thereto; that a List of such Advices and the Committees to which they stand referred be laid before the Court by the Secretary so soon as the said List shall have been prepared by the Examiner; and, that an Abstract of the several Advices be furnished by the proper Departments to the Clerk of each of the Committees for the purpose of its being laid upon the Table for the information of the Members ; it was then on another motion, Ordered, that the Political Letter from Bengal, No. 7, dated 8th May, 1834, and the letter from Sir Charles T. Metcalfe, dated 11th June, 1834, which were read in Court, and ordered to lie on the table on the 10th instant, be now referred to the consideration of the Revenue Judicial and Legislative Committee.

Appendix No. 9.

Official Correspondence during the Year 1857.

Indian Correspondence.				Home Correspondence.
Department.	Letters from India.		Despatches to India.	
	No. of Letters.	No. of Collections		
Public	431	5,907	296	The Number of Drafts of Letters approved by the Court of Directors, or adopted in consequence of the Court's Resolutions during the year 1857, was 7,927.
Financial	314	912	163	
Railway	181	563	168	
Electric Telegraph	11	50	51	
Public Works . .	210	2,180	67	
Military	677	1,960	624	
Marine.	170	481	176	
Political	177	1,497	97	
Ecclesiastical . .	59	179	42	
Revenue	162	1,453	43	
Judicial	124	1,768	100	
Legislative . . .	—	—	4	
Statistical . . .	—	—	2	
Total . . .	2,516	16,950	1,833	

The discrepancy between 1,833 Despatches to India and 1,621 Drafts, which passed the Court in 1857, is explained by many Drafts of the previous year not having been signed as Despatches until after the commencement of the year.

Appendix No. 10.

Draft Despatches approved by the Court of Directors during the Year 1857.

No. of Drafts.	Approved on the Day on which they were laid before the Court.	Ordered to lie for Consideration.		Altered by the Board.	Approved by the Board without Alteration.
		No.	Average No. of Days during which a Draft was under Consideration		
1,621	1,157	464*	Between 7 and 8 Days.	140†	1,481

* Many of these despatches not only took into consideration very important questions, but embraced a variety of matter and were periodical reviews of the proceedings of particular departments of the Government in India, extending over from three to six months.

† Many of these alterations are simply verbal.

Appendix, No. 11.

East India (Cadetships.)

Return of the Number of Cadetships, and different Classes of Individuals on whose Sons all Cadetships for *India* have been conferred by the Directors of the East India Company and President of the Board of Control, in the several Years from 1840 to 1857, both inclusive.

	1840.	1841.	1842.	1843.	1844.	1845.	1846.	1847.	1848.	1849.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	1857.	Grand Total.
Sons of Military, Medical, and Marine Officers, and Chaplains in the East India Company's Service	83	99	85	57	36	93	83	68	66	68	66	53	65	86	103	94	100	160	
Sons of Civil Servants in the Company's Service	30	19	21	18	10	19	20	21	23	18	26	18	18	21	25	25	35	33	
	113	118	106	75	46	112	103	89	89	86	92	71	83	107	128	119	135	193	
Sons of Military, Naval, and Medical Officers in Her Majesty's Service	77	72	80	50	31	63	46	36	1,865 32	27	27	35	23	22	13	19	16	48	5,477
Sons of Clergymen	41	47	42	27	20	33	34	31	717 21	23	28	21	26	29	34	19	35	69	
Sons of Professional Men and others	182	206	227	148	106	165	162	119	580 95	95	109	94	73	77	110	102	92	153	
									2,315										

Appendix, No. 12.

East India (Bishops and Cathedral Establishments, &c.)

Return of the Annual Expenditure for Ecclesiastical Objects in India, at the different Presidencies, from 1836-37 to the latest Period, under the several Heads of Bishops and Cathedral Establishments; Number of Regular Chaplains; Number of Uncovenanted Auxiliary Chaplains; Cost of Building Churches; Cost of Grants in Aid of Church Building; Allowances to Roman Catholic Chaplains; and Miscellaneous Expenditure.

Years.	Bishops.				Chaplains.								Allowances to Roman Catholic Priests.	Ecclesiastical Buildings.	Miscellaneous.	Remarks.
					Church of England.			Church of Scotland.		Church Establishments.	Uncovenanted.					
	No.	Salaries.	Visitation Allowances.	Cathedral Establishments.	No.	Salaries.	Travelling Allowances.	No.	Salaries.		No.	Salaries.		Donations for Construction of, Grands in Aid of, Purchase and Repairs of Buildings by Government.		
BENGAL:		£	£	£		£	£		£	£		£	£		£	
1836-37	1	4,598	104	3,062	39	38,537	564	2	2,310	3,420	2	425	485		186	
1837-38	1	4,598	492	3,064	51	39,031	228	2	2,310	3,397	2	425	480		383	
1838-39	1	4,598	..	2,274	51	39,031	326	2	2,310	3,517	2	480	426		287	
1839-40	1	4,598	823*	2,238	51	39,031	186	2	2,310	3,523	2	420	427		135	
1840-41	1	4,598	2,879	1,691	53	40,231	305	2	2,310	4,771	2	420	448		459	
1841-42	1	4,598	816	1,127	53	40,231	99	2	2,310	4,935	2	420	502		738	
1842-43	1	4,598	914	2,451	53	40,231	208	2	2,310	4,861	2	420	420		410	
1843-44	1	4,598	1,073	2,638	53	40,231	367	2	2,310	5,080	2	420	520	£31,457 was expended for construction, repairs, and enlargement of Churches from 1832 to 1852.	788	
1844-45	1	4,598	2,931	1,702	53	40,231	647	2	2,310	5,148	2	420	480		950	
1845-46	1	4,598	1,433	1,200	53	40,231	597	2	2,310	5,218	2	420	630		912	
1846-47	1	4,598	1,454	2,258	53	40,231	1,188	2	2,310	4,478	2	300	431		182	
1847-48	1	4,598	300	1,121	53	40,231	988	2	2,310	6,204	2	420	575		371	
1848-49	1	4,598	442	1,236	59	43,831	1,073	2	2,310	5,695	2	420	822		608	
1849-50	1	4,598	778	1,206	59	43,831	1,208	2	2,310	5,612	2	420	1,042		393	
1850-51	1	4,598	977	1,307	63	46,950	980	2	2,310	5,759	2	420	2,184		437	
1851-52	1	4,598	269	1,083	63	46,950	1,187	2	2,310	6,077	2	420	2,035		4,680	
1852-53	1	4,598	438	1,120	63	46,950	1,495	2	2,310	6,750	2	420	2,031	£35,000 authorised for construction of churches in the Punjaub during this period; 16,192l. for construction, repairs, &c. of churches in Bengal.	1,012	17 churches and chapels have been erected, or in course of construction, in the Punjaub alone during this period.
1853-54	1	4,598	136	1,120	63	46,950	881	2	2,310	6,553	2	420	2,235		1,940	
1854-55	1	4,598	363	1,375	68	51,031	1,596	2	2,310	6,286	2	540	2,887		746	
1855-56	1	4,598	752	1,120	68	51,031	1,510	2	2,310	6,467	2	540	2,725		1,218	

MADRAS:															
1836–37	1	2,560	..	940	23	19,153	425	2	1,963	1,938	..	..	808		
1837–38	1	2,560	..	940	29	20,976	450	2	1,963	1,992	..	..	778		
1838–39	1	2,560	..	966	29	20,976	438	2	1,963	1,964	..	..	626		
1839–40	1	2,560	..	966	29	20,976	389	2	1,963	2,014	..	..	785		
1840–41	1	2,960	..	966	29	20,976	413	2	1,963	2,008	..	..	769		
1841–42	1	2,560	1,575	966	29	20,976	435	2	1,963	2,528	..	..	773		
1842–43	1	2,560	794	966	29	20,976	313	2	1,963	2,706	..	..	1,273	£25,291 was expended for construction, repairs, additions, improvements, &c. between 1832 and 1852.	
1843–44	1	2,560	932	901	29	20,976	209	2	1,963	2,893	..	..	984		
1844–45	1	2,560	1,656	880	29	20,976	137	2	1,963	2,998	..	..	1,192		
1845–46	1	2,560	1,452	880	29	20,976	137	2	1,963	2,800	..	..	913		
1846–47	1	2,560	1,306	880	29	20,976	68	2	1,963	2,980	..	..	983		
1847–48	1	2,560	1,508	880	29	20,976	68	2	1,963	2,761	..	..	955		
1848–49	1	2,560	1,500	880	29	20,976	68	2	1,963	2,740	..	..	1,052		
1849–50	1	2,560	1,373	878	29	20,976	..	2	1,963	2,718	..	..	1,050		
1850–51	1	2,560	1,614	878	29	20,976	..	2	1,963	2,628	..	..	1,032		
1851–52	1	2,560	1,601	878	29	20,976	..	2	1,963	2,618	..	..	1,064		
1852–53	1	2,560	..	878	29	20,976	..	2	1,963	2,090	..	..	1,362	.. 2,053	
1853–54	1	2,560	..	936	29	20,976	..	2	1,963	2,152	..	..	1,326	.. —	
1854–55	1	2,560	..	960	29	20,976	..	2	1,963	2,222	..	..	1,386	.. 2,377	
1855–56	1	2,560	..	1,010	35	25,056	..	2	1,963	2,636	..	..	2,580	.. 1,154	
														30,875	
BOMBAY:															
1836–37	1	2,560	..	733	15	13,005	793	2	2,038	1,741	..	..	552		12
1837–38	1	2,560	..	1,053	17	12,636	1,140	2	2,038	1,921	..	..	588		33
1838–39	1	2,560	..	1,053	17	12,636	1,367	2	2,038	1,575	..	..	468		21
1839–40	1	2,560	..	1,119	17	12,636	656	2	2,038	1,687	..	..	588		12
1840–41	1	2,560	..	1,179	23	15,276	653	2	2,038	1,698	..	..	528		44
1841–42	1	2,560	..	1,059	23	15,276	399	2	1,896	1,793	..	..	708		109
1842–43	1	2,560	..	1,231	23	15,276	398	2	1,896	1,616	..	..	441	£19,555 was expended for construction, repairs, improvements, &c., between 1832 and 1852.	34
1843–44	1	2,560	103	1,267	23	15,276	590	2	1,896	2,044	..	..	681		168
1844–45	1	2,560	975	1,287	23	15,276	336	2	1,896	1,938	..	..	1,050		66
1845–46	1	2,560	295	1,267	23	15,276	397	2	1,896	2,126	..	..	2,243		81
1846–47	1	2,560	108	1,267	23	15,276	333	2	1,896	2,022	..	..	1,756		70
1847–48	1	2,560	734	1,267	23	15,276	448	2	1,896	2,167	..	..	1,959		18
1848–49	1	2,560	503	1,267	23	16,416	406	2	1,899	1,744	..	..	1,989		124
1849–50	1	2,560	113	1,267	23	16,416	364	2	1,896	2,090	..	..	2,521		118
1850–51	1	2,560	120	1,267	23	16,416	360	2	2,016	1,783	..	..	2,280		97
1851–52	1	2,560	..	1,279	23	16,896	370	2	2,016	2,210	..	..	3,574		42
1852–53	1	2,560	..	1,327	23	16,896	326	2	2,016	2,210	..	..	3,066	.. 582	108
1853–54	1	2,560	..	1,328	23	16,896	389	2	2,016	2,313	..	..	2,680	.. 3,427	83
1854–55	1	2,560	..	1,316	23	16,896	371	2	2,016	2,414	..	..	2,903	.. 4,000	
1855–56	1	2,560	..	1,335	26	18,936	371	2	2,016	2,021	..	..	3,147	.. —	
														28,164	

* These accounts include, in some instances, a portion, and in others the whole of the travelling allowances to chaplains, from which they cannot be separated.

† The exact expenditure in these years cannot be given; but as regards the Bishop, the amount is limited at 1,200*l.* within each period of three years.

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LONDON:
PRINTED BY SMITH, ELDER AND CO.,
LITTLE GREEN ARBOUR COURT.

SPEECH OF VISCOUNT JOCELYN, M.P.,

IN THE

HOUSE OF COMMONS,

ON THE CASE OF THE

AMEERS OF UPPER SCINDE,

JUNE 23, 1852.

AN AUTHENTIC REPORT, PUBLISHED BY REQUEST.

WITH AN APPENDIX.

SECOND EDITION.

LONDON:
SMITH, ELDER & CO., 65, CORNHILL.
1852.

Printed by STEWART and MURRAY,
Old Bailey.

SPEECH OF VISCOUNT JOCELYN, M.P.,

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AMEERS OF UPPER SCINDE.

In rising to move for the papers of which I have given notice, I shall venture to ask the permission of the House to trespass upon their attention, whilst I bring to their consideration certain facts to which those papers refer, bearing on the present state and condition of the ex-rulers of Scinde.

I am aware that I may be met by the objection that this question is one that has been considered some years ago, and that the policy that was then brought under the consideration of Parliament has had the sanction of the House; but it should be recollected that at that time grave doubts were entertained by many persons as to the justice of that policy. Since that period matters and facts have been brought to light bearing strongly upon those acts, which, I think, prove that the views that were taken at that time by those who were opposed to the policy of the annexation of Scinde were correct, and that I am now justified in again asking Parliament to reconsider the case of those unfortunate princes.

I could have wished that some individual of greater

weight than myself had undertaken their cause—some one whose abilities would have insured more ample justice being done to the case of these unfortunate princes; and when I recollect that my right honourable friend the member for the University of Oxford, only a short time since, has advocated so powerfully the cause of an oppressed people in a neighbouring country, I feel more than ever my own inadequacy to the task I have undertaken. I have a satisfaction, however, in believing that the ear of the House has never yet been deaf to the claim of justice; and the fact that the persons on whose behalf I plead were princes of India—once our faithful allies, now exiles from their native land—affords no reason why they should be thought undeserving of the sympathy and commiseration of a British House of Commons.

I believe I am justified in asking for those papers on the ground that, as matters of history, they should be given to this House. The documents connected with the affairs of Scinde, up to 1842, have been furnished to Parliament, and bring before us the proceedings by which the British Government came into the possession of that territory. Since the year 1842, various transactions of great political importance have taken place, together with great changes in the internal arrangements of that country, therefore it seems most desirable that the documents containing the additional information should also be laid before Parliament. When we consider more especially that an inquiry is going on up-stairs in reference to the future government of India, we

must feel that these are papers which bear peculiarly upon many points connected with that inquiry, and should be furnished to us without delay.

I concur in an opinion which I lately read in the work of an honourable and learned friend of mine, a member of this House, the hon. member for Sheffield—that "to form a just appreciation of the conduct of those who have taken part in the government of mankind, is one of the great purposes for which history is written," and that it is therefore right that the transactions in which they have been engaged should be fully and fairly laid before the public. With this view, I consider that it is necessary for the due appreciation of the characters of the public men who took part in the transactions in Scinde, that the House should be furnished with all the documents having reference to those transactions.

Perhaps the House is not aware that a few weeks since, a similar motion to that which I now make was brought forward by a noble earl in another place; but that noble earl, in moving for documents, moved only for a portion of the papers for which I now ask. That noble earl moved for a report of a commission appointed in India twelve months since, for the purpose of investigating certain charges of fraud and forgery that were laid against his highness Meer Ali Moorad, Ameer of Upper Scinde—a commission by which that prince was tried and convicted of the crimes for which he was arraigned; but the noble earl, though he moved for the papers, stated at the same time his own doubt as to the character for

fairness of that commission. Considering the high position of that noble earl, his knowledge of Indian matters, and his experience on this question, it seems to me that anything that has fallen from him is deserving of great weight; and that therefore we should have before us further documents to enable us to come to a more satisfactory conclusion with regard to the report of that commission.

The documents which I think I am justified in requesting are—first, the report of Sir George Clerk, late Governor of Bombay, one of the ablest servants of the Indian Government, on whose opinion it was that the commission was appointed; secondly, the minutes of the members of the Government of Bombay, to whom the report of that commission was submitted; thirdly, the minute of the Governor-General in council—the first authority in India—who is bound to see justice done between all persons, and to maintain the honour and dignity of the British name.

I think I am justified in asking for those documents, as they all bear on the question at issue. They are not in the secret department, but are furnished to the Court of Directors, and it is usual to give them to Parliament on questions of this nature. More than that, I firmly believe in my own mind that those documents, if produced, will do honour to the servants of the British Government in India by whom that investigation was conducted, and demonstrate the impartiality of the tribunal.

I ask for the documents at this moment, because

there are means at the disposal of the British Government by which reparation to some extent may be afforded. I may be asked,—why not leave the matter to the Governor-General of India? In reply, I would say, I feel confident no person could be found more willing to ameliorate the condition of those unfortunate princes than the noble marquis at the head of the Government of India; but at the same time it is my conviction that, in a case which has given rise to so much discussion, and concerning which there has been such diversity of opinion, an expression of sympathy on the part of the British House of Commons would aid the Governor-General of India in carrying out a just and righteous course of policy.

I would beseech the House to give me a patient hearing, whilst I attempt (but feebly I fear) to plead the cause of men who have now no other person in this House to speak in their behalf. I would recall to the recollection of the House the circumstances which took place on the first acquisition of Scinde; and I need not go farther back than the year 1838. That was the year, it will be recollected, which gave birth to that policy, for the carrying out of which, a British army was marched into Central Asia. It was considered necessary to secure the friendly feeling and cordial co-operation of the rulers of Scinde, to insure its success. A treaty was proposed by the British Government, and in that treaty the Ameers, after lengthened negotiations, concurred. In the

year 1838 the first intimate political connection was established between them and the British Government. There were treaties previously, but merely commercial. At this period, three brothers were rulers of Upper Scinde,—Meer Roostum Khan, Meer Mobarik Khan, and Meer Ali Moorad. Their father's name was Meer Sohrab Khan, a chief of the Talpoor dynasty. He died in 1830, dividing his territory into four portions, leaving to each son a portion as a patrimony, and attaching the fourth portion to the turban, or chiefship, which devolved upon Meer Roostum Khan, the eldest of the three brothers.

From 1838 to 1841 disputes at various times arose between Ali Moorad and the two eldest brothers, in reference to territory. Those disputes were decided by the British resident under an agreement made by the treaty of 1838. In 1842, Ali Moorad placed himself at the head of an army, attacked the forces of his brother, defeated him, and forced him to sign a treaty, called the treaty of Nounahar, by which Roostum Khan agreed to make over to him certain villages belonging to himself and Meer Nusseer, son of Meer Mobarik Khan. Those villages formed the subject matter of inquiry under the commission issued in 1850 by the British Government.

From an early period Ali Moorad, who had been described, by those who knew him intimately, as a crafty and designing prince—commenced a series of intrigues against his eldest brother, Meer Roostum Khan: these intrigues were unfortunately too

successful. He placed in the hands of the British resident in Scinde certain letters, which he said he had intercepted—letters purporting to be hostile to the British Government, and which he alleged to have passed between Meer Roostum and the Court of Lahore.

Meer Roostum denied the authenticity of the letters, and asked for an opportunity of proving their fabrication. He also begged to be confronted with his accusers. But both those reasonable requests were refused. The letters were sent to certain officers of the British Government, who were supposed to be most competent to pronounce an opinion on documents of that description. Their authenticity was doubted at the time by those officers, one of whom was Sir George Clerk, who declared that he doubted, not only the authenticity of the documents, but more especially the seals attached to them. About this period, in the autumn of the year 1842, Sir Charles Napier made his appearance in Scinde, and soon after became the chief civil and military authority. Contrary to the opinion of the officers to whom reference had been made, and who had seen the letters in question, Sir Charles Napier declared, upon the opinion of Capt. Brown—who, according to Colonel Outram, and other evidence, knew nothing of Persian, (the language in which the letters were written)—that they were authentic, and immediately took possession of a large portion of the territory of Roostum Khan.

Another question had been raised between Roostum Khan and Ali Moorad, viz. the succession to the turban. Meer Roostum Khan, nearly eighty years

of age, was desirous of leaving the turban to his eldest son. But it was also claimed by Ali Moorad. Sir Charles Napier took part with Ali Moorad, with whom he had entered into close communication soon after his arrival in Upper Scinde. Meer Roostum Khan, with a view to escape from the intrigues of his unnatural brother, asked permission to enter the camp of Sir Charles Napier, and to place himself entirely in the hands of the British general. Sir Charles Napier, instead of eagerly taking advantage of such an opportunity of unravelling the tangled skein of Upper Scinde politics, refused at that time to receive him, but directed him to the camp of Ali Moorad, the very person who had probably forged the letters which were so derogatory to his brother's character, and the very person who was at that moment engaged in plots to compass the poor old chieftain's destruction. The House, perhaps, would scarcely believe that a British representative could have taken such a mistaken step, under the peculiar circumstances in which the unfortunate Meer Roostum was placed. But Sir Charles Napier himself records the remarkable fact. He writes to the Governor-General on 20th of December, 1842, that Meer Roostum was anxious to take refuge in the British camp, adding, " I did not like this, as it would have embarrassed me how to act; but the idea struck me at once that he might go to Ali Moorad, who might induce him, as a family arrangement, to resign the turban. I therefore secretly wrote to Roostum and Ali Moorad; and about ten

o'clock I had an express from Ali Moorad, to say, 'that his brother was safe with him.'" *

It appears that subsequently Meer Roostum Khan was prevailed upon to cede to Ali Moorad the turban; but the latter at the same time entered into an agreement, by which he promised to secure to Meer Roostum that portion of his territory which was left to him by his father as a patrimony. The treaty of cession reached the British general, but the agreement between the two brothers, which accompanied it, never came into that gallant officer's hands. Ali Moorad still continued his intrigues with a view to the ruin of his unfortunate brother, and led the British general to believe that Roostum Khan was about to raise troops to attack the British army. Hence the destruction of Emaumghur, the first commencement of hostilities. Sir Charles Napier marched a force to the point where he was told Roostum Khan was encamped; but on his arrival found there was no enemy to oppose him. He had, however, the satisfaction of blowing up the fortification without mischief to a single man. On the other hand, the unfortunate Meer Roostum, who had fled to the desert, alarmed by an intimation from his brother that the British general wished to make him a prisoner, was found by Colonel Outram surrounded by only a few followers, and his wives and children. Distracted and perplexed, in his agony he implored to be taken to the British general, for the purpose of throwing himself on his mercy; but the interview

* *Vide* "Supplementary Scinde Blue Book," and "Thornton's History of India," vol. vi., pp. 425 to 435.

was again prevented by the intrigues of Ali Moorad,* and subsequently Meer Roostum was directed to proceed to Hydrabad. In Lower Scinde, however, he found that sympathy which he had not met with at the hands of the British representative, or from his relatives in Upper Scinde. The Beloochees, who are always described as a wild and warlike race, stung to madness at the treachery experienced by the aged prince from his near kinsman, and the harsh treatment he had received from the British general, dashed into the field against the British troops at Meanee, under the walls of Hydrabad. There, however, they were defeated by the skill of the British general and the valour of our army; the result of this action was, that some of the Ameers were sent as captives to British India, while others were left under the control of Ali Moorad. Such was the first chapter in this painful history. I will now proceed to the second.

In 1846, Sir Charles Napier, who was about to leave Scinde, appeared to have changed his opinion in regard to the character of Ali Moorad. It seems the general left a memorandum in his office, stating that he had grave doubts of the honesty of Ali Moorad, and that he had reason to believe that he had possessed himself of certain lands which were not his of right, and which belonged to the British Government. Sir George Clerk, the Governor of Bombay, proceeded on a tour to Scinde in 1848, and instituted an investigation regarding this memorandum. He found on his arrival in Scinde, that there were two

* *Vide* "The Conquest of Scinde, a Commentary," sect. 9.

individuals, named Sheik Ali Hassan, and Peer Gohur, one of whom had been Prime Minister to Ali Moorad, and the other his confidential adviser, who were prepared to give evidence against Ali Moorad to the effect that the leaf of the Koran on which the treaty of Nounahar was written had been torn from the volume, and that another leaf had been inserted, in which the word "districts" had been substituted for "villages," and that, therefore, property of considerable value, to which the British Government was entitled by right of conquest, had been wrongfully held by Ali Moorad. Although the characters of these witnesses were doubtful, there was such corroborating evidence of the circumstance, that Sir George Clerk was induced to consider it the duty of the Government to appoint a commission to inquire into the whole case. A commission was appointed, consisting of Mr. Pringle, a man of judgment and ability, and Major Jacob and Major Lang, both officers of great political experience and high reputation, before whom Ali Moorad was cited to appear. He appeared accordingly, and was allowed to examine and cross-examine witnesses, but was unable to rebut the charges brought against him. The very leaf on which the treaty of Nounahar had been written was produced; the chief was convicted of fraud and forgery; and has since been compelled to relinquish the territory of which he had wrongfully held possession, and the turban which he had so disgraced.

Now I wish to point out to the House the bearing which this inquiry had on the charges originally

brought against the Ameers of Scinde. It will be recollected that one of the first charges made against those princes had reference to the letters said to be intercepted, which were furnished to the British resident by Ali Moorad, who alleged that those documents had passed between Roostum Khan and the Court of Lahore. Roostum Khan asked to be confronted with his accusers, and to be shown the documents, but both requests were refused him. It has now been proved that Ali Moorad was, from the commencement, plotting to effect his brother's destruction; in which he unfortunately succeeded: and this very Ali Moorad, who furnished the letters on which his brother was condemned, has since been convicted of fraud and forgery against the British Government, to which he had such abundant reason for showing the greatest gratitude.

But there is another fact—a most important one—namely, that when that commission was sitting, Ameer Mahomed Houssein, the eldest son of Roostum Khan, who, since the conquest of Scinde, had been living on the bounty of the Mahomedan chiefs on the banks of the Indus—for he would never deign to ask or accept a favour from the British Government, so long as a stigma rested on his name and family—at the risk of his life and liberty, appeared before that commission, saying:—The British Government is about to institute an inquiry into the iniquities of my uncle Ali Moorad: I wish to vindicate the honour and good faith of my father, and to wipe away the stain which now rests on my family, and I have

brought evidence to prove that every one of the charges against my family is false. The commissioners said they regretted not to be able to enter into that inquiry, and that they were obliged to confine themselves to the matters to which they were restricted by the instructions they had received from the British Government. But I believe there was not a man, from the first commissioner down to the humblest individual present at that inquiry, who was not convinced that the family of Meer Roostum Khan were wholly guiltless of the charges originally brought against them.

Another charge brought against Meer Roostum was that of stopping and robbing the Dawk; on which, it will be recollected, Sir Charles Napier laid such stress. Roostum Khan declared at the time that he and his family were innocent of that charge; and proof has since been tendered that the man who caused the Dawk to be intercepted was Ali Moorad himself, for the purpose of laying the crime at the door of his unfortunate brother: to this point the Ameer Mahomed Houssein was ready to give evidence.

The next scene in this painful drama was the cession of the turban, and that was proved to have been forced from Roostum Khan when in confinement; and whilst the treaty ratifying the cession was duly conveyed to the British general, another messenger, who bore the other agreement, by which Meer Roostum's patrimony was secured to his family, was stopped on his way by a horseman of Ali Moorad, and the document taken from him.

Another most important fact was elicited by the commission: that the principal moonshees, or native clerks, in the office of the Government of Scinde, through whom the information was furnished on which the whole of the proceedings was based, were bribed by Ali Moorad. There is one more point to which I must allude — namely, the attack of the Beloochees on the British forces at Hydrabad. Considering that the feelings of the people had been greatly exasperated by the treatment which Roostum Khan had received at the hands of the British representative, I find no fault with brave soldiers seeking with their lives to vindicate the honour of their ancient rulers, and dashing into the field to their support.

I would now wish to point out to the House the claims which I think those princes have to the consideration of the British House of Commons and of the British Government. At the time of the invasion of Affghanistan, it was stated by the military authorities that Scinde being the base for the operations of our army, it was a matter of the greatest importance to obtain possession of the strong fort of Bukkur, on the Indus. At our request, Meer Roostum Khan, contrary to the wishes of his family and of the Beloochee soldiery, surrendered the fort of Bukkur to the British Government, although it was considered the heart of his country. So important was the cession of that fort thought to be, that Lord Auckland and Sir Henry Pottinger declared that the gratitude of the British Government was due to Meer Roostum Khan;

and Sir Alexander Burnes wrote about the same time in these words:—"I have never doubted their (the Ameers') sincere desire to serve us, but, in their weak state, I did not expect such firmness in the day of need." Again, the British envoy writes to the Governor-General—"*Meer Roostum has shown in the day of trial what he professed at all times, that he was the sincere and devoted friend of the British nation.*"

Such were the services that were performed by the family of Meer Roostum in 1838, and such were the opinions expressed with regard to those services. No Englishman can forget the year 1841, when clouds arose which seemed to threaten the annihilation of the British rule in India; but at that moment the Ameers of Scinde, deaf to entreaties and to the religious cry that was then raised by the Mahomedans from one end of India to the other—regardless of all personal considerations—remained true to British interests. So valuable were the services they rendered at that time, that it was said by the highest military authorities, that if it had not been for those services, and especially the supplies they furnished to the army of Brigadier England, that army could never have advanced or retired, and British honour could never have been retrieved under the walls of Cabool.*

In smaller matters also they showed their anxiety

* It is very important to bear in mind that these services were rendered *after the treaty of* 1839. Previous to that treaty, the conduct of the Ameers was undoubtedly hostile; but subsequently they saw the hopelessness of contending with British power, and, according to Captain Postans, "fully made up for their former hollow professions, and want of faith, *by a cordial co-operation.*"

to assist the British forces: Colonel Outram, acknowledging the services of the Ameers in remitting all customs on supplies furnished to the British troops, wrote in these terms on the 24th of June 1841:—"That he was instructed by the Governor-General to acknowledge the satisfaction with which he had received this additional mark of their friendly disposition, and of the liberal policy with which their administration is conducted."

Such was the letter addressed to Meer Roostum in June 1841. Let us now read the account given of the same prince a few months subsequent, when, branded and hunted by his unnatural relative, assisted by the forces of Sir C. Napier, he was found a fugitive in the desert: Colonel Outram writes, "I beheld the sovereign of Upper Scinde, whose important services a Governor-General had deemed fitting to acknowledge, become a houseless wanderer; one who, nursed in the lap of luxury, had not known what an ungratified wish might mean. I met him in the jungle, surrounded by his faithful retainers, unprovided with the decencies of life. A tent with a single awning, not ten feet square, afforded the sole protection from the weather enjoyed by the party during heavy and long-continued rains; and is it to be wondered at, that I felt intensely for the poor old man?"

I should not do justice to the true character of the Ameers if I did not allude to the charges which have been heaped on them by the first military historian of this country. I could have wished, for the honour of the British army, that those accusations

had never been penned; for there was no language to be found which was not used to asperse those princes, and no crimes of which they were not said to be guilty. It must be recollected that the historian had never been in Scinde, and had no personal knowledge of the circumstances he relates; whereas, in direct contradiction to his statements, there is the evidence of British officers,* who had lived in daily intercourse with these calumniated princes in the days of their prosperity, who, one and all, repudiate the charges against them, and bear the strongest testimony to their conduct and character. I have perused letters from many of these gentlemen, but I will select only one to read to the House, because the writer is well known in India, and because he was for a considerable time in constant intercourse with those princes—I mean Captain Postans. That gentleman, who was many years political agent in Scinde, pronounced them to be "merciful to a fault, and just, where they judged for themselves. As men (he added) I consider them exemplary characters; and the devotion and respect evinced towards them by their children and all around them, was a conclusive proof of the domestic harmony which reigned in this singularly-constituted family."

Now, I would ask the House to allow me to advert to the condition in which the Ameers have been ever since our occupation of their territory. After the battle of Hydrabad, some of these princes were despatched to British India, and others of them were

* *Vide* Appendix.

left to the tender mercies of Ali Moorad. Among the princes sent to India was the aged Meer Roostum Khan, who shortly afterwards sunk under the weight of years and anxiety, and, to use his own touching language, descended into the tomb "with his face blackened in the sight of his countrymen, and his grey hairs dishonoured." He left behind him a son and a nephew, who are still prisoners in India. Besides these princes, there were the members of the families of the Lower Scinde Ameers, against some of whom, there was no charge save that of defending their country, and against others not even that charge. One, Meer Shadad, after four years close confinement in the fort of Surat on certain charges, of which, I understand, he was acquitted after investigation, and released by order of the Governor-General of India, still remains a prisoner in Hindostan.

With reference to the other members of their family, there were some eighteen sons and nephews of Roostum Khan, who were left to the tender mercies of Ali Moorad, at whose hands they experienced treatment which is not to be described. On that subject I will read to the House an extract from a very graphic and painfully-interesting work called "Dry Leaves from Young Egypt," the author of which held political office in Scinde, and writes of what he himself saw and knew. It is as follows:—

"The younger Ameers, the children of Meer Roostum and Meer Mobarik, were handed over by Sir C. Napier to Meer Ali Moorad, who has inflicted on them every cruelty and insult that malice and hatred

can suggest. Born princes, hunger, cold, and nakedness have been their portion. In their memorial to Sir C. Napier they stated that death would be preferable to their condition. In 1848, the resident at Khyrpore reported that not one of Ali Moorad's shikarees was not better off than they. They had been reduced by want to the sale of their wives' ornaments and their own wearing apparel, and it was a well-known fact, that the fourth son of the late Meer Roostum appeared as a suppliant for assistance before the door, and is now living on the bounty of her, who was in his father's lifetime a low courtezan in the Khyrpore bazaar." Such was the state of some of the Ameers of Upper Scinde, whose fathers had earned the commendation of the Governor-General, who had proved themselves our faithful allies, and stood by us in the day of adversity and trial.

Although at the risk of wearying the House, there is one more fact to which I must allude, and it is a painful one. After the battle of Hydrabad, the ladies of the captive Ameers remained in Scinde. Those who know anything of the Eastern character, know that the religious feelings and the habits of the people are such, that it is almost impossible for ladies of that high rank to take long journeys, more especially across the seas. It will be recollected, on a former discussion on this question, we were horrified with details of the brutal conduct on the part of the Ameers towards their wives, which were then told with every air of authenticity; but the extract I am

about to quote is the best reply to these monstrous assertions.

The extract I hold in my hand is from a letter written by the wife of a British officer in Scinde, in reference to the condition of those unhappy ladies, which I will read to the House. She said:—"They looked and acted like what they were, the ladies of the land, and very different from the native women we were in the habit of seeing; not that they were particularly beautiful—on the contrary, there were few of them who had any claims to youth or good looks, but, as I said before, there was a bearing which stamped them at once of a superior class. There they were—whose bare feet had previously never pressed the ground uncovered by the richest carpets, with every luxury around them—living in a place without even a mat to the floor; common bazaar charpoys to sleep upon, and the roof leaking every shower of rain that fell. I thought at the time that the prize agents might have spared the carpets and other little luxuries from the thousands we had taken from them. They were too proud to ask for them, nor did I even hear them complain of this, though they did of having their clothes sold. They said,—'Our jewels and gold we consider as forfeited; but we did not expect to be stripped: it is our fate.' It appeared a day of great rejoicing when a letter arrived from the Meers (their absent lords). They generally sent me a request that I would come and see them, and hear all about the Meers. It appeared as if they thought I could enter into all their little

joys, as well as feel for their misfortunes; which in truth I did, although I always avoided touching on a subject so painful to them."*

It appears to me that this is one of the most painful stories connected with the British rule in India, and one of the darkest pages in its history. A tale known not only in Scinde, but throughout Central Asia. A tale which has often been cited by the Mahomedans to the detriment of the honour and character of Christian and British rulers. Nor is it alone confined to Mahomedan Asia: Central Africa re-echoes this story of violence and wrong. I find the following passage in a work of Dr. Richardson, a traveller in Central Africa:— "The conversation was stopped by the entrance of a remarkable personage—the quasi Sultan of Ben Walid. Having heard that I was present, he said,— 'Christian, do you know Scinde?' 'Yes,' I said. He then turned and said something to the people in the Ghadamsi language. I afterwards learned it was,— 'You see these Christians are eating up all the Mussulman countries.' He then abruptly turned to me,—'Why do the English go there and eat up all the Mussulmen? afterwards you will come here.' . . . . . I replied,—'The Ameers were foolish, and engaged in conspiracy against the English in India, but the Mussulmen in Scinde enjoyed the same privileges as the English themselves.' 'That is what

* The *Times* in its report erroneously mentions Lady Macnaghten's name as the writer of the letter. No name was mentioned in the House. The *Morning Chronicle* states, "The reading of this touching account produced a deep impression on the whole House."

you say,' he rejoined; and then continued,—'Why do you go so far from home to take other people's countries from them?' I replied,—'The Turks do the same; they come to the desert.' 'Ay, you wish to be such oppressors as the Turks.' He then told me not to talk any more, and a painful silence continued for some time."

I would ask the House if this is not a question worthy the consideration of Parliament, one in which British honour, British justice, and British humanity are so deeply involved. It is painful to think, whilst we express sympathy for the oppressed people of Hungary, whilst we receive the Poles with open arms, whilst a right honourable friend of mine, only a few weeks' since, made a powerful appeal on behalf of the people of Naples, and whilst we blame our gallant neighbours for their want of faith towards Abdool Kader, that the British Government should sanction conduct equally unjust and oppressive. But here partial redress is in our own hands, and, after the facts that have been elicited, we shall be doubly culpable if we do not make all the reparation in our power to those we have so grievously injured. I have undertaken to bring the subject before the House from a sense of duty and a sense of justice, and I may truly say, I never recollect feeling a warmer interest in any case, or a more solemn conviction of the truth of the cause I advocate.

I have endeavoured—I fear very inadequately—to place before the House—first, the charges that were originally made against these princes; next, the

bearing which the late Commission of Inquiry had in reference to those charges; then to point out the intrigues and machinations of Ali Moorad; and, lastly, to compare the condition of that felon prince, still in the enjoyment of his patrimony, with that of the unfortunate princes, the victims of his treachery.

I know well there is great difficulty in retracing our steps, and that there is an idea that, where civilization and barbarism come into contact, it is a proof of weakness in the former to recede. I am aware that, in a country which has been for some years under our rule, new ties are formed, and new interests are created, which cannot be disturbed without the hazard of committing a second injustice on the people whom we have taken under our protection; but I do not ask on behalf of the Ameers of Scinde that they should be replaced as rulers of their country; they do not ask it for themselves: in their own touching language they make known the earnest desire of their hearts—"A tree in our own land is better than a palace in a foreign country"; they ask merely to be allowed to return to their native land. The Government has it now in their power to grant that boon; and I cannot conceive it possible that it will be refused. At the same time it would ill become a private individual to point out the exact mode in which reparation should be afforded; I am therefore prepared to leave it in the hands of the Government of India, confident in its integrity and in its humanity. But this I may be permitted to say, that little injury is to be feared when honour and character

are to be maintained, in a Government, like that of India, firm and united, acknowledging to the Hindoo and Mahomedan nations under its sway, that unwittingly a grave error has been committed, and showing their desire to remedy that error, as far as possible, in a magnanimous and generous spirit. On behalf, therefore, of the Ameers of Scinde, once honoured, powerful, and wealthy, now fallen, crushed, and poverty-stricken, long our faithful friends and allies, I implore the sympathy of this House, and ask for the papers which bear out the statements I have felt it my duty to make; satisfied that the facts have only to be thoroughly understood, to obtain for these unfortunate princes, not all that justice demands, but all that it is now left in the power of the British Government to bestow.

[The noble lord then moved for Copies of the Evidence and Report of a Commission appointed to inquire into a charge preferred against his Highness Meer Ali Moorad, Ameer of Upper Scinde, of having made fraudulent alterations in the treaty of Nounahar, concluded between his Highness and the late Meer Roostum Khan, and of all Minutes and Correspondence on the Indian records connected with the charge, and of the Report on Scinde of Sir George Clerk, K.C.B., late Governor of Bombay, dated 24th day of April, 1848.]

The documents moved for, with the exception of the report on Scinde, by Sir George Clerk, K.C.B., were granted.

APPENDIX.

The following statements, with respect to the characters of the Ameers, by British officers—many of whom held high and responsible political situations in Scinde, and all of whom were personally acquainted with those injured princes—were published some years ago, and have never been refuted.

Extract from a Letter from CAPTAIN FRENCH, Political Agent, Nimaur, late Assistant Political Agent, Upper Scinde.

It is very deplorable that General William Napier should have published to the world such charges against the ex-Ameers of Scinde. As far as my observations will enable me to speak, they are totally unfounded. I was in Scinde and Cutchee from the 6th September 1840 to the 7th December 1842, when I left for Ferozepoor, and during that period, or in fact until the appearance of the "Conquest of Scinde," on my word I never, as far as my memory will enable me to speak, heard of such doings by the Meers. Had such horrible atrocities ever been perpetrated, I think you will allow I must have heard of them; first, because, as you know, I amused myself by gathering some notes on Scinde; and, secondly, because the Ameers and their Rule was a daily subject of conversation for many months of the above period, while I was at Sukkur, in every house there. Many officers had Scinde Moonshees; I had one, and some

of the others, like myself, employed them probably more with a view of acquiring local knowledge than aught else. I have but to repeat, that until the appearance of the 'Conquest of Scinde,' I do not recollect ever having heard of these abominations; I don't believe a word of them, but they will be all believed at home.

(Signed) P. T. FRENCH.

From MAJOR WOODHOUSE, Commanding the 6th Regt. N. I.

Sattarah, 16th Sept. 1845.

In the latter end of 1820, Captain Sadlier, of H. M.'s Service, was sent by the Bombay Government as an Envoy to the Court of the Ameers of Hydrabad. The other members of the mission were W. Simson, Esq., and Dr. Hall, and I had the command of the escort. The mission disembarked at Kurrachee, and from thence went to Hydrabad, where it remained about two months, and then returned to Bombay by the way of Luckput Bunder. During that time I did not hear anything which indicated any want of humanity on the part of the Ameers, or called in question their characters as rulers for justness and moderation. Had anything existed to militate against a favourable impression of their characters in these respects, it would in all probability have become known to the mission; and I think I do not err in saying that every member of it left Scinde with a good opinion of the Ameers as men and rulers, and during the late field service in Scinde, no facts came to my knowledge to lead me to assign to them a lower standard of character than I was formerly ready to accede to them.

(Signed) F. R. WOODHOUSE.

From Dr. Hawthorn, Surgeon, 3rd Regt., Light Cavalry.

17th August, 1845.

Sir,—I have much satisfaction in bearing testimony to the gentlemanly demeanour, and strictly sober habits of the Ameers of Hydrabad when they were in power in 1835-1836.

I resided at Hydrabad for a period of seven months, during which I was in professional attendance on His Highness the late Meer Noor Mahommed Khan. I had almost daily an opportunity of seeing the other Ameers, either in durbar or in their private dwellings, and frequently accompanied them on their hunting excursions. I never had any reason to suppose they were in the slightest degree addicted to intemperance: on the contrary, they had the greatest horror of any intoxicating liquor or drug, and would never take medicine without an assurance from me that it did not contain opium.

(Signed) H. P. Hawthorn.

From Captain Leckie, late Assistant Political Agent in Lower Scindé.

Sattarah, 2nd October, 1845.

My first introduction to the durbars of Upper and Lower Scinde was in the year 1830, when I accompanied the late Sir Alexander Burnes on a mission to Lahore. Subsequently I went to Hydrabad in October 1838, and remained there until September 1842, as assistant to Sir Henry Pottinger and yourself. During this time, I was frequently with the

Ameers, both in open durbar and at private interviews, on business and in a friendly way. With one solitary exception, I never knew them deviate from their style and bearing, which was always frank and gentlemanly.

In their habits they were temperate, and I never saw them in any way excited. As parents they were kind, and took a pride in the education of their sons. They were beloved by their chiefs and dependents who were at Hydrabad, and in constant attendance on them.

(Signed) J. D. LECKIE.

From CAPTAIN HART, 2nd Grenadier Regiment.

CAPTAIN HART'S* OPINION OF THE AMEERS AND THEIR GOVERNMENT.

A residence of three years in Scinde (1839-40-41) led me to the conclusion that the government of its Ameers had been judged by too high a standard. Compared with the rule of despotic states in Europe during the past century, their sway was mild; and although unrestrained in the exercise of absolute power, their people were not subjected to harsher measures than are common to native governments in India. The aversion of the Ameers to shed blood was notorious. Property was generally secure, notwithstanding the absence of any regular police. Even the jealousy evinced for the preservation of their shikargahs never carried them the length of the extreme punishments once authorized by the forest laws of Britain.

The acknowledged fact, that crimes of any magnitude were rarely committed, spoke of itself for the condition of

* Author of the Article on Slavery in Scinde in the *United Service Magazine* for January 1844.

the lower classes; of food they had sufficient in quantity, and of clothing in quality, to satisfy their wants. Limited in Scinde, as in other eastern countries, to securing a bare subsistence, the cultivators endured no hardships to which their Indian brethren are not liable; while the simplicity of the form of assessment freed them from numerous petty extortions of subordinates to which the latter are often exposed. The almost exclusive monopoly by the Hindoo population of the management of the revenue, proved that they did not consider the bigotry of their rulers as an intolerable burden. That trade was not, in all instances, depressed or obstructed, was shown by the transit of opium through Scinde to the coast in preference to the route of the British provinces, as well as by the encouragement afforded to merchants by the remission of customs duties in proportion to the extent of their traffic.

Of the private characters of their rulers, the Sciudians spoke favourably. They were said neither to indulge in spirituous liquors or to smoke; and violating the sanctity of a subject's dwelling in search of wealth, or tenants for their harems, were acts unheard of, &c. &c.

(Signed) S. HART.

From CAPTAIN GORDON, in charge of the Ex-Ameers of Hydrabad.

Dum-Dum, 27th July, 1845.

MY DEAR SIR,—I have to acknowledge your letter of the 14th instant, requesting my sentiments on certain charges preferred against the Ameers of Scinde, in the second volume of a work recently published, entitled the "Conquest of Scinde." I shall reply to your queries in the order in which they occur in your letter to my address, premising, that from

my almost constant daily intercourse with the Ameers since they arrived in India, in April 1843, I have had the best opportunities of judging of their character and habits.

I observe, therefore, in reply to your first query, that the Ameers are the most temperate of men, rigidly abstaining from wine, and every kind of liquor; while to smoking also they have a strong aversion, and cannot even endure the smell of tobacco, and it will not be supposed that their present habits of "total abstinence" in these respects are newly acquired, or different from those they have hitherto been accustomed to. In regard, therefore, to "*smoking*" and "*drinking*" the Ameers are examples to most of us who boast a higher civilization, and a more self-denying morality.

With regard to your second query, I am unable to conjecture on what grounds it has been asserted that the Ameers' memorials were written for them by persons at Bombay and not by the Ameers themselves. In my opinion, the memorials referred to are in no respect superior to the usual correspondence of the Ameers, who are quite as capable of representing their own case, and proposing and answering objections, as are educated men among ourselves; and this fact will not be disputed by any person who has had opportunities of observing their good sense and shrewd and pertinent remarks on men and things. I am aware that an opinion is abroad that the Ameers are a set of "illiterate barbarians;" but this is not the case, for with one or two exceptions they are well acquainted with, and appreciate, the best Persian authors (in prose and verse), and the knowledge thus acquired from books, improved by their own sagacity and experience, has made them no mean judges of the motives which ordinarily govern men in their actions. After these observations, I need not obtrude my opinion that the Ameers were fully equal to write the petitions alluded to,—that they did write them, is my most firm conviction, and on this point I can scarcely be mistaken.

The Ameers solemnly deny the allegations referred to in your third query, regarding the destruction of infants in their zenanas; and in justice to them I cannot withhold my testimony, that while was I employed in Scinde and the neighbouring countries, I never once heard that such a practice existed among the Ameers, and had it prevailed it is scarcely possible that it could have been concealed from you and others who resided constantly for several years at, I may say, the doors of the Ameers.

It was, I believe, the wish of the ex-Ameers that their ladies should not accompany them from Scinde; and since their arrival in India, they have always expressed the utmost repugnance to their removal, in the hope, no doubt, that they themselves would eventually be restored to their own country. This hope they still cherish, and while it lasts (although far less intensely than before) they will never sanction a proceeding which, as we are well aware, is so offensive to their ideas of female honour and decorum. The Ameers have always spoken to me of the removal of their ladies as a step to be resorted to only in the event of their "vakeels" returning unsuccessful from England, and they now perceive that their worst fears in this regard are likely to be realised.

(Signed) FORBES M. GORDON.

From CAPTAIN WHITELOCK, late Assistant Political Agent, Lower Scinde.

Seroor, 10th Sept. 1845.

It would be absurd to draw any line of comparison between any of the princes of Asia and the enlightened and accomplished rulers of the more civilized parts of Europe.

Among Eastern ones, however, the Ameers deservedly ranked high in the estimation of all the Europeans who had been on terms of intimacy with them. The Ameers, in common with all mankind, had faults and weaknesses, but in many respects their conduct was most exemplary. They religiously abstained from drinking wine, or intoxicating liquors of every description; nor did they use tobacco, with the solitary exception of taking snuff; and, moreover, they were not addicted to that almost universal practice among Mahommedans, of smoking tobacco. Their manners were mild and gentlemanly, their dispositions humane; and, as far as I could judge, their deportment towards their children, relations, and dependents, was invariably kind and affectionate.

I have felt great surprise at the reports that have been circulated of the Ameers' ill-treatment of their wives and females, and I can conscientiously aver, that, during my residence in Scinde, I never heard such a thing hinted at, although it is well known that there was an influential clique among the Hindoos, who were ever too ready to prejudice the European officers against the rulers of Scinde. I feel, however, thoroughly convinced that the Ameers were incapable of acting in so cowardly and despicable a manner. It it true that, with regard to women, there were amongst them one or two sensualists, and they of all persons were not likely to have acted towards them with harshness; yet, one of these, the late Meer Nusseer Khan, has been more particularly accused of treating them with great cruelty.

(Signed) C. R. WHITELOCK,
Captain, late Assistant Political Agent, Lower Scinde.

From CAPTAIN POSTANS, 15th Regt. N. I., late Assistant Political Agent, Upper Scinde.

I had the strongest personal regard for all the late Ameers of Scinde. In my personal intercourse with them, they always left the most favourable impressions from their urbanity, amiability, and desire to please. As rulers, though I could point out many faults in their mode of government, these were the consequences of their confined views as to civil polity, but, on the whole, the bulk of their subjects were probably as happy and contented under their rule as could be desired. Their great failing was profusion, on the one hand, and avarice on the other, but they were merciful to a *fault*, and *just*, where they judged for themselves. As men, I consider them exemplary characters (taking into the case their education, and prejudices of birth and religion), and the devotion and respect evinced towards them, by their children and all about them, was a conclusive proof of the domestic harmony which reigned in their singularly-constituted families. I really doubt if it were possible to find in our own country so many families, each and every member of which had his own interests to support, living together so peaceably and affectionately.

They have, I hear, borne their reverses like *men*, patient under many misfortunes; and this is an additional proof that their minds were well regulated in prosperity.

(Signed) T. POSTANS,
Late Assistant Political Agent, Upper Scinde.

From Dr. Winchester, Civil Surgeon, Rutnagherry, late Residency Surgeon at Hydrabad.

Bombay, 27th Sept. 1845.

During the two years I passed at the Residency in Lower Scinde, I had, as you are aware, daily intercourse with the different Ameers of Hydrabad. Previous to my nomination to Scinde I had been much associated with officers who had a personal knowledge of their Highnesses, from their official situation, and I was never prepared, from their conversation, to expect any thing unfavourable to the Ameers. Nor do I think from the latter end of 1834, when I first went to the province of Cutch, that I ever heard attributed to them, with one rumoured exception, and that regarding only one prince, any of those vices which have since been made so notorious. I most assuredly never heard any act of cruelty mentioned; on the contrary, I always thought the Ameers were lenient as rulers, and dispensers of criminal justice; and however oppressive their system of taxation might have been, it never was enforced by cruelty. The condition of the villages and inhabitants did not mark that the population of Scinde was worse treated than the generality of Eastern countries. I have passed repeatedly, alone, unarmed, through great portions of Lower Scinde in 1839-40 and 41, and never met with insult; but, on the contrary, with civility and kindness. * * *

In their habits, the Ameers were exceedingly simple, and in manners unaffected. Their food was plain; their drink was water, and except in the use of snuff, I never heard, or saw, any of them using tobacco or ardent spirits. They were free from the prejudices Mussulmans generally have towards Christians, and I never heard them affect to despise any other religion than the Hindoo, of which they had every contempt, on account of its idolatry.

No one ever hinted to me that the Ameers ill-treated their women. I repeatedly asked natives the manner in which women are obtained for their zenanas. I never heard of force being used; but that the women were very reconciled to their lot, being enriched by valuable presents of jewels, and insured a competence for life. When I have been within the precincts of the harem, I never beheld anything that could lead to the supposition of tyranny. H. H. Meer Nusseer Khan often solicited medicine for his females, as did the other Ameers, evincing, in the detail of their complaints, anxiety for their welfare; and I on one occasion was much struck with the conduct of Nusseer Khan towards a lady of his harem who was dangerously ill.

(Signed) JAMES W. WINCHESTER,
Civil Surgeon, Rutnagherry.

From DR. LEITH, Assistant Presidency Civil Surgeon, late Surgeon to the Political Agency in Lower Scinde.

From December 1841, to November of the following year, I resided at Hydrabad in medical charge of the Lower Scinde Political Agency; and it being the chief part of my duty to give medical attendance to the Ameers, or to any member of their families that might require it, I had, during that time, almost daily opportunities of seeing them either in Durbar or in private. And being again appointed medical attendant to the Ameers, in April 1843, when they were brought in captivity to Bombay, and from thence sent to Sassoor, I saw them during nearly two months under very greatly altered circumstances.

During my acquaintance with the Ameers, I remarked their great freedom from the vices usually prominent among Indian Mussulmans, and I was pleased with their affable and gentle manners and domestic habits, and also with the mild exercise of their power as rulers. The people generally seemed to love them; and from what I saw during my stay at Hydrabad, I could have expected the devotion they displayed a few months afterwards, in supporting their chiefs when fighting for their honour, their independence, and their territory. I never saw anything to give me the least suspicion that any of the Ameers used any intoxicating thing; nor did I ever, while in Scinde, hear even a rumour that they did so; and I think I must have known it if they had. The use of intoxicating substances I have heard several of them openly condemn: most of them used snuff, but none of them ever smoked tobacco or anything else. During the many opportunities of observation that my visits to the sick afforded me, I never saw or heard of any conduct towards the members of their households but what was marked with kindness. During my residence at Hydrabad, I heard of but one severe punishment being inflicted; the criminal was a murderer, and the usual penalty of having his hands cut off by the executioner was inflicted; and in this case the Ameers showed great anxiety for the safety of the man's life after the amputation.

(Signed) A. H. LEITH.

Bombay, 20th Sept. 1845.

From Dr. Peart, Civil Surgeon, Poonah, and in charge of the ex-Ameers of Khyrpoor.

Poonah, 17th July, 1845.

Ex-Ameer Roostum Khan of Khyrpoor, with his youngest son, Ali Buksh, and his nephew, ex-Ameer Nusseer Khan, have been under my care since March 1844, and I feel the greatest satisfaction in being able to bear testimony to their noble bearing under their misfortunes; and I can safely say, that since I have had the pleasure of knowing them, I have never observed anything whereby even the slightest shadow of a suspicion of intemperance or debauchery could be attributed to them; and I have had ample opportunities of judging, visiting them at all times. Ex-Ameer Meer Roostum Khan, now upwards of eighty years of age, is in full possession of his faculties—his memory is good, and he is most strict in his religious observances; his mode of living is abstemious, eating meat only once a day, and his sole beverage water or milk.

Respecting the memorials which have been forwarded to England since the ex-Ameers have been under my care, I can assure you most positively that they have never had the most trifling assistance in framing them, neither were they seen by, or their contents known to, any European, until after they had been placed in my hands for transmission to Government.

(Signed) J. H. Peart.

From CAPTAIN MYLNE, 6th Regiment, N.I., late Political Agent, Hydrabad.

Bombay, 18th January, 1846.

I hasten to reply as briefly as possible to your questions regarding the private character of the ex-Ameers of Lower Scinde, and most truly can I say that, as far as my own observation went, and as far as I could learn from others, very few indeed of the native Princes of India could so well stand the test of inquiry into their domestic life.

I had, as you know, many opportunities of seeing them: they had, in general, very short notice of my intention of waiting upon them, and my visits not being confined to mere formal interviews at the Durbar, I had the better means of remarking the total absence of all marks of debauchery and symptoms of excess. I cannot recall to my recollection having ever heard, during the seven months of my being in charge of the agency, any accusation against them as being addicted to the common Mussulman vice of intemperance; and, kept informed as I was, through several sources, of their every day life, it could hardly have failed of coming to my ears had there been anything approaching want of kindness or affection displayed by them to their families. But the manner in which they invariably alluded to their households, and the grief expressed when any member of their families was in distress, convinced me that much attachment existed between them.

Need I say, that if there are any other points on which my opinion of the unhappy Ameers can be of any service, it will afford me much pleasure to give it?

CHAS. D. MYLNE.

Extract from "The Conquest of Scinde, a Commentary,"* by LIEUT-COL. OUTRAM, C.B., Resident at Sattarah.

To these convincing testimonies, I would add that of an officer long resident in Scinde, and intimately acquainted with its people. "My own knowledge," he writes, "that is, from personal intercourse, is nothing, but the unanimous testimony of all the natives who were in a position to know, shows that, with the sole exception, I believe, of Ali Moorad, the Meers of Scinde were sober and temperate to an extraordinary degree,—not only not drinking or using intoxicating liquors or drugs, but not even smoking a hookah."

On Sir Henry Pottinger I call to confirm the testimony thus rendered in their favour by every British officer who has had an opportunity of intimately knowing the Ameers. *He* can inform his countrymen that the documents now submitted to the reader are sober and literal statements of undeniable facts. * * * * * Sir Alexander Burnes's eulogies of Meer Roostum, "the good old man," I have already placed before the reader.† And if, as I confidently

* "The Conquest of Scinde, a Commentary," by LIEUT-COL. OUTRAM, C.B., Resident at Sattarah. Wm. Blackwood & Sons, Edinburgh and London, 1846.

† I deeply regret that I have it not in my power to refer to Captain Del'Hoste's Journal, written in 1832, which, though buried in the records of Government, I believe contains sketches of the characters of the Ameers. The following passage, extracted from Dr. James Burnes's book will show how innocent were the preceding generation of Ameers of the foul charges brought against their sons:—

"The Ameers of Scinde are less sunk in sensuality and indulgence than Mahommedan princes in general. Meer Moorad Ali Khan asked me on one occasion whether I had any objection to his taking daroo, a word which I understood in its usual acceptation of ardent spirits; and I was proceeding to explain that it would be better to avoid all stimulants, and particularly wine, for the present, when he abruptly interrupted me, by begging that I would not use the name of the forbidden juice of the grape in the presence of a true believer. I found afterwards that his Highness only meant a pomegranate; and although this anecdote may give an impression of display before a large assembly, still I believe it is well ascertained that the Ameers never indulge in intoxicating drugs or liquors. They have been known to dismiss persons

expect, I have satisfied my reader of the utter groundlessness of this charge of debauchery and drunkenness against the Ameers generally, and against the venerable Meer Roostum in particular, I may safely leave it to his judgment to determine what degree of credit is due to the monstrous and incredible stories narrated on the same authority as that which I have just proved to be so worthless. The Ameers have been accused of committing deeds exceeding in iniquity those ever invented in the most fabulous romance of ancient or modern days; such as, *chopping their own "offspring to pieces with their own hands, immediately after birth; but more frequently placing them under cushions, smoking, drinking, and jesting with each other about their hellish work while the children were being suffocated beneath them;" chastising their wives with "whips of twisted brass wires," for "what they deemed the*

with disgrace from their presence, who have appeared before them redolent of wine; and Bahadoor Khan Cokur, a Beloochee chief of high birth, in the service of Meer Moorad Ali Khan, was suspended from his employments for a considerable time, from having been once seen in a state of intoxication. The Ameers universally objected to take medicine in the shape of tinctures, from the spirits they contained. There is not a hookah to be seen at their court, nor do any of the family ever eat opium. It were to be hoped that this temperance on the part of the rulers had had a proportionate effect on their subjects; but experience obliges me to declare that most of the soldiery, and many of the courtiers, are addicted to every species of indulgence that can either enervate the mind, or debilitate the body. The eating of opium is as common in Scinde as in Cutch; and I found no present more acceptable than a few bottles of brandy, and no annoyance more intolerable than incessant indirect applications to repair the ravages of unlawful disease, or to renew the powers wasted in luxury and debauch. The Ameers commence business about two hours before daybreak, when each holds a private levee to listen to complaints, and adjust the affairs relative to his peculiar province. It is on this occasion only that they wear turbans. About sunrise, they repair to their apartments to dress, and appear shortly afterwards in durbar, where the whole family regularly assemble, and where all State proceedings are transacted. The letters which have arrived during the night or preceding day, are then thrown before them in a heap, and the time is passed in reading or giving orders regarding them, and in conversation till ten or eleven o'clock, when they withdraw to their morning repast. At two o'clock they again show themselves abroad, and remain together till dark, when they separate for the night to their respective places of abode."

poor women's offences, such, perhaps, as weeping over their slaughtered children;" "*hellish deeds, which rendered them objects for horror rather than sympathy.*"* Such are the

* "Conquest of Scinde," page 348:—"Nusseer Khan of Hydrabad, depicted the most noble and generous of the Ameers, the most humane of the pernicious brood, had in his zenana a whip expressly to correct the women; the last is composed of two lengths of twisted brass wires! It is no fable! the usage is certain, &c." That the romancist who palmed off on his too credulous countrymen the arrant nonsense (out-Heroding the famed Munchausen) of Fitzgerald of the "tempestuous hand," should write such trash, excites but little wonder. But it is surprising, and derogates not a little from the respect due to the collective wisdom of the nation, that the absurd fable should have been listened to in Parliament.

It must have astonished all English gentlemen in India conversant with the mild ways of Mahommedan gentlemen towards the inmates of their harems—(subjected to no other hardships than that of voluntary seclusion, which they themselves consider as disgraceful to infringe as would an English female regard a reflection cast on her chastity)—to see so wantonly libellous and utterly absurd an accusation gravely uttered by a British Senator in the presence of the Parliament of England. The report of the debate given by Hansard states, that *sensation* was caused by this climax to all the misrepresentation and mystification palmed on the House on that occasion, but the nature of that sensation is not described: for the honour of my countrymen I trust that it was the sensation of *indignation* at the unblushing assurance of Mr. Roebuck in presuming to attempt to impose such trash on the representatives of our nation. Of all the Ameers, Nusseer—the courteous, refined, and even chivalrous Nusseer—was the last on whom the romancist should have attempted to cast this stigma. Nusseer! who would as soon have given pain to a woman as would Mr. Roebuck or General Napier dream of inflicting the same barbarous cruelty on their own daughters. Poor Nusseer is now no more. It has pleased God to summon him whither the malice of his persecutors can no longer pursue him; where the wicked cease from troubling, and the weary are at rest. He was mercifully removed ere the atrocious calumnies of General William Napier could add another drop of bitterness to the overflowing cup of his misfortunes. *Requiescat in pace.* His nephew, Meer Hoossein Ali, indignantly replied as follows to the charges, as preposterous as they are malignant, of the historian:—"*Whatever stories the General has written concerning our ladies, we could reply to them by as bad and worse words about him; but it is not our custom to write evil about any one, or call him bad names, agreeably to the saying, the man of wisdom will not call him a respectable man who uses the names of respectable men with disdain.* (Persian proverb.) *Sir Charles Napier has described the killing of children by the Ameers; but in reply we say, thousands of woes to him who wrote such a thing, for we are neither guilty of that, nor know any thing about it. This is only an unfounded charge and a false*

statements put forth as *History*, and as worthy of the belief of the most civilized portion of the globe! They can only

calumny. Let it be asked, how can a man be so inhuman as to cut to pieces a young child, and in consequence expose himself to the fire of hell and the curse of God? Regarding the brass whip which the General has written about, it is all a lie, like the rest of his accusations; because a whip is for horses and not for women. There is no matter if the General has got it (the whip with which it was alleged Meer Nusseer chastised his women) *in his possession to show to the people, for we also can produce not only a brass whip but hundreds of iron whips.*" And thus the young Ameer concludes his humble attempt to defend the memory of his father, and to uphold the character of his brethren, all that remained to them:—"Sir Charles Napier calumniates the Ameers, because he knows that he has injured them very sadly; and, by calling the Ameers monsters, he hopes to draw off the sympathy of people from their sorrowful misfortunes; but he will fail in his design even in this world; and on the day of judgment, when the Beloochees, who were innocently murdered by the General in the battles of Meeanee and Douba, shall rise against him,—on such a day, where will he find refuge from the accusations and complaints of those whose characters he has blackened by his calumnies?"

A brass whip—by no means a great rarity in the East—is found in the women's apartments, and the logical inference is, that *it was designed for their backs!* By a parity of reasoning, the valuable firearms, swords, jewels, and treasures, found in the zenanas, may be concluded to have been collected by the ladies, who, addicted like their lords to intrigue, were meditating a "revolt of the *Harem!*" Alas, poor England! If your senators are at the mercy of Mr. Roebuck, and your rising generation are dependent for Eastern *facts* on the imagination of General William Napier! England of all nations is most interested in obtaining correct information regarding India; Englishmen are of all Europeans the most ignorant, and the most easily imposed on, in all that concerns it!

To prove how cruelly the Ameers treated their ladies, the historian tells us, that "*when the Ameers fell, not one woman, old or young, mother, wife, or concubine, would follow them to Bombay, so much were they detested;*" and we are told that they "sought and obtained leave to return to the homes of their childhood." The reader of the foregoing pages will not be surprised when I tell him that THIS IS A PURE UNMITIGATED FICTION; though he will probably be amused at the hardihood of the fabrication. The ladies did not accompany their lords, because to have done so would have been an acknowledgment that all hope of the return of the Ameers was abandoned. The treatment of the captive Ameers, the indignities to which they were exposed, the undefined horror entertained by all Asiatics of transportation across the "black water" (sea), and the incertitude as to the final disposal of the captive princes when in the country of those who had evinced such a recklessness of justice, truth, and mercy,—were enough to deter even affectionate wives from voluntarily accompanying their husbands at first. But it was not their husbands' wish that their wives should accompany them.

be accounted for, by some heartless wag having practised on the credulity and too ready ear of Sir Charles Napier (to

UP TO MY LAST ACCOUNTS—JULY 1845—THE AMEERS' LADIES, SO FAR FROM HAVING "RETURNED TO THE HOMES OF THEIR CHILDHOOD," WERE STILL LIVING IN A TANDA (A WALLED VILLAGE) ABOUT THREE MILES FROM HYDRABAD! What say Dr. Peart, in charge of the Khyrpoor Ameers, and Captain Gordon, in charge of those of Lower Scinde, on this subject? The former writes:—

"In reply to the last part of your letter, from frequent conversations I have had with the ex-Ameers upon the subject, I am enabled to state that their disinclination to have their families sent to them from Scinde is quite insurmountable, and when I have proposed it to them, their reply has always been, '*As long as we are prisoners, this is no place for our wives and children, to make them prisoners also.*' I trust you will excuse my refraining from informing the ex-Ameers of the allegations that have been made against them, as I am sure, by so doing, I should be adding fresh causes of sorrow."

The latter, thus:—"The Ameers solemnly deny the allegation referred to in your second query, regarding the destruction of infants in their zenanas, and in justice I cannot withhold my testimony, that while I was employed in Scinde and the neighbouring countries, I never heard that such a practice existed among the Ameers, and *had it prevailed, it is scarcely possible that it could have been concealed* from you and others who resided constantly for several years at, I may say, the doors of the Ameers. IT WAS, I BELIEVE, THE WISH OF THE EX-AMEERS, THAT THEIR LADIES SHOULD NOT ACCOMPANY THEM FROM SCINDE, AND SINCE THEIR ARRIVAL IN INDIA, THEY HAVE ALWAYS EXPRESSED THE GREATEST REPUGNANCE TO THEIR REMOVAL, IN THE HOPE, NO DOUBT, THAT THEY THEMSELVES WOULD EVENTUALLY BE RESTORED TO THEIR OWN COUNTRY. THIS HOPE THEY STILL CHERISH, AND WHILE IT LASTS (ALTHOUGH FAR LESS INTENSELY THAN BEFORE) THEY WILL NEVER SANCTION A PROCEEDING WHICH, AS WE ARE WELL AWARE, IS SO OFFENSIVE TO THEIR IDEAS OF FEMALE HONOUR AND DECORUM. THE AMEERS HAVE ALWAYS SPOKEN TO ME OF THE REMOVAL OF THEIR LADIES, AS A STEP TO BE RESORTED TO ONLY IN THE EVENT OF THEIR VAKEELS RETURNING UNSUCCESSFUL FROM ENGLAND, AND THEY WILL NOW PERCEIVE THAT THEIR WORST FEARS IN THIS REGARD ARE LIKELY TO BE REALIZED." This, be it remembered, is the testimony of two high-minded English gentlemen, writing simultaneously from the eastern and western extremities of India, daily associating with the Ameers, and acquainted with all their thoughts. They cannot be supposed to be discontented "at being by Lord Ellenborough debarred from plundering the Scinde revenues, under the names of collectors," &c. They are gentlemen whose words have never been doubted, nor their honour called in question; with no interest in the matter save that of Englishmen jealous for the honour of their country. And what is opposed to them? The assertions of one whom I have proved to be as reckless of *truth* as he is ignorant of what he pretends to discuss—the champion of a brother whose policy is unjustifiable, and only to be extenuated by proving its victims monsters more horrible than it hath hitherto entered into the mind of man to conceive!

hear any thing to the disadvantage of his victims), who forthwith transmitted what may have been intended as a bad joke and fiction, to him who was to become the annalist of the Conquest of Scinde.

Translation of the PETITION of the Wives of the dethroned Ameers of Scinde, transmitted through their accredited Envoys, to Her Majesty QUEEN VICTORIA.

May the shadow of Queen Victoria increase, the pure, and the magnificent as Balkis (Queen of Sheba).

It is almost two years since Sir Charles Napier came to Hydrabad, in Scindé, with an army and artillery, and plundered our habitations of all our money, ornaments, jewels, and of every thing of value. And at the same time he took from us the Ameers and our children, and sent them to Hindostan as captives. We helpless women, devoid of power, were, when Sir Charles Napier arrived, seated in our houses. What manner of custom is this, that he should enter our dwellings, and plunder us of our valuables, leaving us not sufficient for our support? Two years have elapsed since he tore us from our houses, and native city, and compelled us to dwell outside the town of Hydrabad, in huts, like the destitute. God knows the hardships we suffer for our food and raiment; and through our separation from the Ameers, we endure such distress and despair, that life is distasteful to us. That one should die when God wills it, is no calamity; but we endure with each successive day the torment of a new death; wherefore we cherish the hope, that you yourself being a Queen, as we were once, will

sympathise with us, and will take compassion upon us, and cause restoration of those things of which Sir Charles Napier has robbed us; and since our hearts are lacerated with grief at being separated from the Ameers, and from our sons—by which, indeed, we are brought to the brink of despair—you will remove this cause of distress, otherwise we should reckon it the greatest favour to put an end to our existence. May your days be lengthened!

Signatures of the Begums of—

MEER KURM ALI KHAN.
MEER NOOR MAHOMED KHAN.
MEER MAHOMED NUSSEER KHAN.
MEER SOBDAR KHAN.
MEER MEER MAHOMED KHAN.

Written on the 27th of the month Shuwal, 1260,
at Hydrabad, in Scinde.

Translation of a Paper given to LORD ASHLEY by the VAKEELS of the Ameers of Scinde.

August, 1845.

We, AKHUND HABIBULLAH, DIWAN MITHARAM, and DIWAN DYARAM, the accredited Envoys of the Amírs of Sindh, solemnly declare that we have never, on any occasion, acquiesced in the truth of the charges against our masters the Amírs. We believe, and we affirm it in the most solemn manner, that the letter said to have been written to Bibarak Bugti by Mir Muhammad Nasir Khan,

was a forgery. We believe, before God, that the Amírs are wholly innocent of the charges brought against them.

Signatures of

AKHUND HABIBULLAH.
DIWAN MITHARAM.
DIWAN DYARAM.

19, Harley Street, 15th August 1845.

Extract of a Letter from LIEUT.-COL. OUTRAM, C.B., formerly Commissioner in Scinde, to LIEUT.-GEN. SIR CHARLES NAPIER, G.C.B., dated 26th January 1843 (a few weeks previous to the battle of Meanee).

"It grieves me to say that my heart, and that judgment which God has given me, unite in condemning the course we are carrying out for his Lordship, as most tyrannical, positive robbery. I consider that every life that may hereafter be lost in consequence, will be a *murder*."*

Extract of a letter from the Right Honourable SIR HENRY POTTINGER, Bart., G.C.B., formerly Resident in Scinde, read in the House of Commons by Lord Ashley, in Feb. 1844.

"Your letter brought our happy and merry days in Scinde vividly to my mind, and I lamented, on reading it, if possible more deeply than I had done, over the 'fallen estate' of my old friends the Ameers, of whose case I have all along said, and ever shall say, under all circumstances, and in all society

* *Vide* "The Conquest of Scinde, a Commentary," page 290, Part 1st.

and places where I may hear it alluded to, that it is the *most unprincipled and disgraceful that has ever stamped the annals of our empire in India.* No explanation or reasoning can, in my opinion, remove the foul stain it has left on our good faith and honour, and as I know more than any other man living of previous events and measures connected with that *devoted* country, I feel that I have a full right to exercise my judgment and express my sentiments on the subject. I was in hopes that some influential voice would have been raised in England against the tyranny and spoliation that had taken place, but the intelligence by the last mail—that of July—holds forth no such prospect, and all that I can now hope is, that the author of all this cruelty and misery may meet with his deserts hereafter. I shall only add, that I shall esteem it a favour if you will let my opinions be known wherever you hear the affair mentioned, and that you cannot use too strong language in expressing my disgust and sorrow on the occasion."

THE END.

London: Printed by STEWART and MURRAY, Old Bailey.

SPEECH

OF

MR. JOHN SULLIVAN

IN THE COURT OF PROPRIETORS

AT THE EAST INDIA HOUSE,

On the 21st December, 1842,

ON SUBMITTING THE FOLLOWING MOTION:

" That, in the opinion of this Court, the substitution to a greater " extent of the Agency of Natives of India for that of Europeans, " in the Civil Administration of their own Country, is a measure " which is equally called for by considerations of Justice, Economy, " and sound Policy. That it is desirable to give full effect to Sec. 87, " c. 85, of the 3rd and 4th William IVth, which enacts, ' That no ' Native of the said territories shall, by reason only of his religion, ' place of birth, descent, colour, or any of them, be disabled from ' holding any place, office, or employment, under the said Company,' and " that the Court of Directors be recommended, in furtherance of " that object, to instruct the Government of India to appoint Natives " to all Offices in the Civil Administration for which they may be " duly qualified."

London:

PRINTED BY JOHN WILSON,

18, CHARLES STREET, BERNERS STREET.

1843.

SPEECH OF MR. SULLIVAN.

SIR,—I TRUST it will not be thought for a moment that in mooting the question which I am about to submit the Court, I am acting under any mistrust of the kind wishes or good intentions of the Court of Directors to the natives of India, or that in what I am about to say, I have any intention of casting blame upon any individual, or any body of individuals, whatsoever. Nothing can be farther from my mind than such a thought. My sole object in agitating the question is, that it may be thoroughly understood. It appeared to me that extensive misapprehensions prevailed concerning it. I could think of no better means of removing these misapprehensions than a temperate and friendly discussion of the whole subject in this Court. I very much wish that any other channel had been open for the discussion, because I feel myself totally incompetent to do justice to it here; but I could find no other channel. Rather, therefore, than permit misapprehensions which appeared to me to be very prejudicial to the natives of India to continue, I determined to intrude myself on the notice of the Court. I do so with the greatest reluctance, and only under an imperative sense of duty. So entirely am I acting from my own counsel in this matter, and so totally disconnected am I from all party, that I really am not, at this moment, aware whether there is any person in the Court who will second the motion, with which I shall have the honor

to conclude. I may add, as a further apology for the intrusion, that my own bread depends upon India: it is impossible, therefore, that I can see anything in our system, which, in my judgment, has a tendency to alienate the affections of the people of India from this country, or to depreciate the value of my own property without making an effort to arrest the progress of the evil.

In the twenty months that have elapsed since I quitted India, that property has undergone an alarming depreciation: the transfer loan, which was at 18 per cent. premium, is now fallen to 7 per cent.—the 5 per cents. from 12 per cent. premium to 1 per cent. discount—the Tanjore loan from 9 per cent. to 20 per cent. discount—and if the Government of India should be obliged to raise fresh loans in aid of the India finances, it will undergo a still further depreciation. It may be said that this is only a temporary depreciation; that things have been much worse; and that they will certainly improve. This language may satisfy those who have only a small stake in the country; but I shall proceed to shew, why nothing short of a determination on the part of those who have the power to carry strict economy into every branch of the India administration, can or ought to satisfy those whose bread depends, as mine does, upon the revenues of that country. I shall do this, because economy is one of the grounds upon which I rest the motion which I shall have the honor to submit to the Court; I am bound, therefore, to shew, that the necessity for such economy is urgent.

I start then with the admitted fact, that there was a deficiency in the revenue of India, as compared with the charges in the official years 1840-41, of upwards of two millions sterling; and this, be it remembered, was the deficiency, after the appropriation in the five preceding years of upwards of eight millions towards the reduction of the India debt: so that when that debt shall have swelled to its original amount, towards which result progress is now gradually making, there will have to be added to that deficiency, the difference between the interest of the debt as it stood in 1840-41, and as it will probably stand when we come to wind up our accounts.

The question then is, how is this deficiency to be made up? At former periods of our Indian history, the answer would have been prompt—by revenue to be derived from fresh acquisitions of territory—by future conquests: but the great distinction between our present position, and our position at former periods, is this, that at the lowest ebb of our fortunes at former periods (and they sometimes have been very low indeed), there was always the prospect of a harvest before us; such a harvest, as if reaped, would amply suffice to extricate us from present difficulties, and furnish us with the means of carrying on future contests. I need not say, that this harvest was eventually reaped. The result of all our former wars was, that we either gained territory, or some equivalent political advantage—even the war with Burmah, the most disastrous of any in which we have been

engaged, with the exception of the present unhappy contest, did not altogether form an exception to that rule—for we wrested from the enemy two large and improveable provinces, we exacted from him a considerable sum of money, and we placed ourselves in such a position in his territory as will enable us to complete its conquest whenever he may provoke us to a fresh contest. But now all that has been spent, and all that remains to be spent, is dead loss: no one expects returns in any shape, either of territory, or money, or political advantage. The whole burthen therefore must be borne by the revenue of India, as it now is. What then is the state of that revenue? It may startle many gentlemen in this Court to be told, that the unaided revenue of India has hardly been sufficient, in any one of the last thirty years, to cover the charges upon it. From 1814 to 1834, the revenue of India was supported by the China monopoly: but notwithstanding this aid, there was only a surplus in four years* out of the twenty. In the five succeeding years a sum of no less than £11,241,540 was appropriated from the sale of the Company's commercial assets in support of the revenue, which, for the first four of them, converted the deficit into a surplus. In the last of this series of years, viz. 1839-40, there was again, however, a

Surplus.

* viz.: 1820-21——£135,898.
1821-22——£412,876.
1830-31——£110,199.
1833-34——£49,398.

deficit of £1,815,036; and this has since been swelled to a sum not far short of three millions. The China monopoly is gone, and the fund arising out of the sale of the commercial assets has been expended. Either, therefore, there must be such an increase in our present sources of revenue as will cover the existing deficiency, or that deficiency must be made good by reduction of charge. Is there then any reasonable prospect of increase? I will not trouble the Court with a recital of figures, which will be forgotten as soon as made; but I may appeal with confidence to the statements which I hold in my hand for proof, that our revenue is, in a great measure, a stationary revenue; and that it is so from the nature of the revenue, the principal source of it being the land, and the demand upon the land being over, the greatest portion of our territory fixed, incapable therefore of increase; and where it has not been fixed, whether from heavy assessments, bad seasons, or bad management, or these three causes combined—judging of the future from the past—there is but very faint hopes of any considerable increase from the land revenue. There is no gentleman in this Court, I am persuaded, who either hopes or expects for any increase from the next most important source of revenue, viz. the revenue from opium. There can be no doubt that the revenue from salt, and from customs, will increase as population and trade increases: but the increase can only be very gradual, and will certainly not amount to any thing like a sum

that will cover the present deficiency for many years to come.

It is then by a reduction of charge only that we can look for the means of extricating ourselves from our present financial embarrassments; and I have been told by high authority that we may confidently expect to reduce our military expenditure to the extent of a million sterling, whenever we are able to bring our present unhappy contest to a close. There can be no doubt of our ability to make a reduction to that amount, if we determine to reduce our military establishments to the scale at which they stood before the war; but this was a scale so low as to place the whole interests of the empire in jeopardy, so low that when a few years ago it was necessary to send a small body of troops to suppress an insurrection in Canara, the regiments were obliged to march without their ammunition, from the crippled state of the Commissariat department. But supposing it possible to make this reduction in our military expenditure, there will still remain more than a million of deficiency, and which can only be provided for by a reduction of charge in the civil department. This reduction may be made in one of two ways, either by reducing the allowances of present incumbents, or by such a change in the agency by which that department is managed as shall ensure a large future saving. Under all the circumstances of the India service, the proposal to make any considerable reduction in the allowances of present incumbents, would be one tending so nearly

to a breach of faith, that I, for one, sincerely hope it never may be made; but no such objection lies against a proposal for such a prospective change in the agency of the department as shall compel a more economical administration of it; and this at once leads me to those higher grounds of policy and justice upon which I venture to advocate such a change.

All our great India statesmen have concurred in opinion, that our empire in that country, never can rest upon a sure foundation until we give the educated and influential class such a stake, in their own country, as shall make it their positive interest to uphold our rule against all competition. The opinion upon this subject is so unanimous, and has at different times been so strongly expressed, that the only wonder is that it should never, up to this moment, have been systematically acted upon. Although, therefore, this is the first time, I believe, that the subject has been formally brought to the notice of this Court, it has been under agitation for half a century, and, fortunately for the Court, little remains for me but to adduce the opinions of the distinguished men to whom I have referred, in support of the motion, which I shall venture to submit for their consideration.

"The main evil of our system," says Sir Thomas Munro, "is the degraded state in which we hold "the natives. We exclude them from every situation "of trust and emolument; we confine them to the "lowest offices, with scarcely a bare subsistence; and "even these are left in their hands from necessity,

" because Europeans are utterly incapable of filling " them: we treat them as an inferior race of beings. " Men who, under a native Government, might have " held the first dignities of the state, who, but for us, " might have been Governors of Provinces, are re- " garded as little better than menial servants, are " often no better paid, and scarcely permitted to " sit in our presence."

" It is not to be expected," says Sir John Malcolm, " that we can ever completely succeed in establishing " any cordial or social union with the natives of India. " We are as foreigners, differing in manners, language, " religion, and feelings, too much opposed to them to " admit of our ever realizing such hopes; but our " efforts should, nevertheless, be continually directed " to the object of reconciling them to their condition. " Nothing can tend so much to this as their employ- " ment. The character of our Government debars us " from intrusting them with military or political " power, but this is the strongest of all reasons for " bringing them forward in every manner that is " unattended with danger."

Colonel Walker remarked :—" The most prominent " feature in the civil Government of the Company is, " the almost entire exclusion of native agency. The " offices held by natives are only those of the lowest " description, such as could not be the object of " ambition to the European. To natives of rank " and education no temptation is held out which " can induce them to engage in the service of the " Company. A very little consideration will be

" sufficient to shew that no circumstance tends more " strongly than this to impair the efficiency of our " Indian administration, and even to render its " duration precarious. The admission of natives to " offices of power and profit is the only mode by which " they can be effectually conciliated. It is vain to " expect that men will ever be satisfied with merely " having their property secured, while their paths " of honorable ambition are shut against them."

Mr. Elphinstone also observed:—" Under us, the " community is divided into two perfectly distinct " and dissimilar bodies, of which the one is torpid " and inactive, while all the sense and power is con- " centrated in the other. The first object, therefore, " is to break down the separation between these " classes, and raise the natives, by education and " public trust, to a level with their present rulers." " They are already very largely admitted into the " judicial department. It seems desirable gradually " to introduce them into offices of higher rank " and emolument, and, afterwards, of higher trust. " I should see no objection to a native member of a " board, and I should even wish to see one district " committed, experimentally, to a native Judge, and " another to a native Collector." I am well aware that these are hacknied opinions, but as they have produced no permanent impression, I take the liberty of reiterating them.

" There is one great question," observes Sir T. Munro, " to which we should look in all our ar-

" rangements. What is to be their final result on the
" character of the people? Is it to be raised, or is
" it to be lowered? Are we to be satisfied with
" merely securing our power, and protecting the
" inhabitants, leaving them to sink gradually in
" character lower than at present? Or are we to
" endeavour to raise their character, and to render
" them worthy of filling higher situations in the
" management of their country, and of devising plans
" for its improvement? It ought, undoubtedly, to
" be our aim to raise the minds of the natives; and
" to take care, that whenever our connection with
" India might cease, it did not appear that the only
" fruit of our dominion there had been to leave the
" people more abject, and less able to govern them-
" selves, than when we found them. Many different
" plans may be suggested for the improvement of
" their character, but none of them can be successful,
" unless it be first laid down, as a main principle of
" our policy, that the improvement must be made.
" This principle once established, we must trust to
" time and perseverance for realizing the object of it.
" We have had too little experience, and are too
" little acquainted with the natives, to be able to
" determine, without trial, what means would be
" most likely to facilitate their improvement. Various
" measures might be suggested which might all, pro-
" bably, be more or less useful; but no one appears
" to me so well calculated to ensure success, as that
" of endeavouring to give them a higher opinion of

" themselves, by placing more confidence in them,
" by employing them in important situations, and,
" perhaps, by rendering them eligible to almost every
" office under the Government. It is not necessary
" to define, at present, the exact limit to which their
" eligibility should be carried; but there seems to be
" no reason why they should be excluded from any
" office for which they were qualified, without danger
" to the preservation of our own ascendancy."

Now, Sir, there may have been men of equal political sagacity with Sir Thomas Munro in India, but there certainly never was one who united in his own person all the great qualities of a consummate statesman, with that intimate knowledge of the natives of India which he had gained from the peculiar nature of his service in that country for near half a century. The result of that knowledge was an opinion, which may be considered as authoritative, that there is no office in the civil administration of India from which a native should be excluded, as a native. What then is the present state of things? Why, that every office of emolument, every office of real responsibility, every office in which character and reputation is to be obtained, every such office in every department of the service is in the possession of Europeans. Let me prove this. Europeans exclusively hold the offices of

Judges of the Sudder Adawlut
Judges of Appeal and Circuit
Judges of Sessions

Judges of Zillahs
Registrars
Commissioners of Revenue and Circuit
Members of Boards and Revenue
Commissioners of Revenue
Principal Collectors
Collectors
Subordinate and Deputy Collectors
Assistant Collectors
Secretaries
Residents, &c.

Natives are employed at the three Presidencies as Principal Sudder Ameens, Sudder Ameens and Deputy Collectors, and Moonsiffs, upon salaries rising, in some few instances, as high as 700 Rupees a month, and falling to 100: all the rest of the many offices held by natives being merely of a ministerial character, analogous to those of clerks and copyists in this country.

Now a native upon 500 Rupees a month, is, to the full, as well off as a European upon 2000 Rupees, that is to say, one-fourth of the salary usually paid to a European, is sufficient for a native. Let us see then how many offices of 500 Rupees a month, and upwards, are open to natives, how many of 2000, and upwards, are open to Europeans.

There are in BENGAL, open to the European service, exclusive of the Members of Council,

4 Offices of from 60 to 66,000 Rupees a year.

23	Offices	of	from 40 to 48,000	Rupees	a year.
17	,,	,,	30 ,, 39,000	,,	
78	,,	,,	20 ,, 28,000	,,	
6	,,	of	19,000	,,	
28	,,	,,	18,000	,,	
1	,,	,,	16,000	,,	
2	,,	,,	15,000	,,	
3	,,	,,	14,000	,,	
1	,,	,,	13,000	,,	
71	,,	,,	12,000	,,	
3	,,	,,	10,000	,,	
4	,,	,,	9,000	,,	
41	,,	,,	8,000	,,	
17	,,	,,	7,000	,,	
22	,,	,,	6,000	,,	

AT MADRAS,

1	,,	,,	50,000	,,	
12	,,	of from	40 to 49,000	,,	
33	,,	,,	30 ,, 28,000	,,	
22	,,	,,	20 ,, 29,000	,,	
2	,,	of	18,000	,,	
1	,,	,,	17,000	,,	
17	,,	,,	14,000	,,	
1	,,	,,	13,000	,,	
2	,,	,,	10,000	,,	
1	,,	,,	9,000	,,	
22	,,	,,	8,000	,,	
7	,,	,,	7,000	,,	
9	,,	,,	6,000	,,	

AT BOMBAY,

1	Office of		54,000	Rupees a year.
4	,,	of from 40 to	48,000	,,
26	,,	,, 20 ,,	28,000	,,
1	,,	of	17,000	,,
4	,,	,,	16,000	,,
4	,,	,,	14,000	,,
1	,,	,,	13,000	,,
3	,,	,,	12,000	,,
11	,,	,,	9,000	,,
13	,,	,,	8,000	,,
3	,,	,,	7,000	,,
21	,,	,,	6,000	,,

There is not in all India, I believe, a single native who receives a salary of 10,000 Rupees a year; there are only twelve who receive as much as 9,000, three who receive 8,000, and forty-six who receive as much as 6,000 Rupees a year.

From this detail it will be seen that I am perfectly warranted in asserting not only that every office of high trust and emolument is still in possession of the Europeans, but that most of the subordinate offices are also in the same hands. I make no account of those numerous inferior offices which have been left to the natives, because they are below the ambition of the European.

We need constantly to be reminded that not a single European was employed in the civil administration when the territory of India fell into our hands. What then, I would ask, must be the effect of this selfish,

exclusive, system upon the affections, the minds, and the character of our native subjects? Is it possible that those can cordially love us, whom we thus, almost systematically exclude from those offices which were exclusively held by their ancestors, and against whom we bar every avenue that leads to wealth or to honor? Not satisfied with taking the sovereignty of their country, we never are content until we take their places. The change from Native to British Government is one that would be hailed by all classes, if it was not inevitably followed by the degradation of the higher orders from the position which they and their ancestors held under their own Government. No sooner do we get possession of a fresh territory, than we proclaim to the people that none of them are fit to be trusted with any high office in their own country.

A notable instance of this has occurred within the last few years. It was my lot, in the earlier part of my service, to have been attached to the Residency of Mysore, when that country was under the administration of Poorneah. It is well known that Poorneah's administration was warmly applauded by the great man whose loss we are now mourning, Lord Wellesley, by his illustrious brother, the Duke of Wellington, and by the many distinguished men, who, in succession, filled the office of Political Resident at the Court of Mysore. The country afterwards fell into disorder under the management of the Raja: the obvious remedy for this disorder, was to

have sought out for another Poorneah, and to have placed him in the same relative position towards the Raja, and towards the British Government, which Poorneah had occupied for so many years. And we were called upon to take that course, not merely from considerations of justice, and sound policy, but from a regard to our own character for good faith; for it will be in the recollection of the Court, that when Lord Wellesley determined to reserve a portion of the territory conquered from Tippoo, and to erect it into a separate state for the benefit of the ancient house of Mysore, he was warned at the time, by Sir Thomas Munro, that he would take nothing by such a motion; that the native powers would see in it only a scheme for placing all the revenues of the reserved territory immediately in our possession, and the territory itself, whenever a favorable opportunity should offer for our seizing it. The prediction of that sagacious statesman has been realized; we have found plausible reasons for setting aside the rule of the Raja, after having had all its revenues at our disposal for more than thirty years; and the territory, in reality, though not in name, is now become a portion of the British dominions; and by this assumption we have, in fact, secured for ourselves that portion of the reserved territory, which, under the treaty of Seringapatam, would have been given to our ally, the Nizam, if no separate state had been erected.

But, according to our invariable practice, not content with bringing the Mysore territory under our

dominion, we have displaced the natives from the few offices of real honor and emolument which they held under the native Government, and have put Europeans in their room; so that there are now twelve European officers employed in the civil administration of Mysore, where, under the able Government of Poorneah, there was not one. I leave it to gentlemen better informed upon the subject than I am, to state to the Court, what the effect of the assumption of the Peshwah's territories has been upon the higher order of natives in the Deckan. That assumption was forced upon us, and the change from the grinding rule of the Peshwah, to our own more beneficent system of Government, ought to have been made a blessing to all orders of the natives; but we were not forced to displace the natives from the offices of trust and emolument which they held under the Peshwah, and to give them to Europeans. By doing this we have made that which ought to have been a blessing to all orders, a positive curse to the higher orders, for we have degraded them from the position which they held under their own Government, and have effectually blasted the prospects of their posterity. An acquaintance of mine told me not long ago, that he was hastening to India, having heard that we were soon to assume the Nizam's territory, that he might be ready to receive his share of the loaves and fishes whenever they came to be distributed. And distributed they will be whenever the time arrives for our taking possession of the Hydrabad territory; we shall not

stop to enquire whether amongst the Nizam's officers, there may not be some eminently qualified to carry on the civil administration of their own country under British rule; that would not further our object, which, upon all occasions, is to make the provision for a certain number of European officers a *sine quâ non* of every acquisition of territory. It seems to be doubted whether I am warranted in this statement; whether it is really fact, that the invariable consequence of our acquisition of territory, is the displacement of the natives from the offices they held under their own Government: but I have only to refer to the state of our Civil Service for irresistible proof of this fact. To what cause are we to attribute its gradual increase from a score or two of individuals to a thousand, but to the unquestionable truth, that it increased with our territory, and that it now engrosses the whole Civil Administration of the empire?

What effect, I would ask, must this selfish, exclusive system have upon the character of our native subjects? What effect would it have upon our own character, if we were so treated? Let me answer the question in the words of the great man from whom I have already quoted. "Let Britain," says Sir T. Munro, "be subjugated by a foreign power to-morrow; let "the people be excluded from all share in the "Government, from public honor, from every office "of high trust or emolument, and let them in every "situation be considered as unworthy of trust, and "all their knowledge, and all their literature, sacred

" and profane, would not save them from becoming,
" in another generation or two, a low minded, deceitful,
" and dishonest race."

These predictions have been fully verified. I have no hesitation in saying, that the native character has lamentably deteriorated under our rule. There is more of villainy and chicanery, less of trust, between man and man now than there ever was; and what is more, this deterioration is acknowledged and mourned over by themselves; and if this were a fit occasion, I could give melancholy proof of my assertion.

We all know that the human faculties expand or contract, according to the field that is opened for their exercise: what then, I would ask, what must be the effects of a system upon the minds and faculties of a people under which they are not required so much as to think upon the affairs of their own country? The responsibility not only of the Government of India, but of every department of the Government, falls upon the European. It is he who ostensibly plans every measure, who bears the responsibility of every measure, and who reaps all the credit that may attend success. We allow the natives no voice in framing the Laws which are to bind them; very little share in the administration of those Laws: at this moment, and for many years past, a Commission has been sitting, whose special duty it is to frame a body of Laws for the people; the whole of this Commission is European: there is no obligation on the part of the Commission to consult a native; and if the opinion of the native is asked, the native

has no responsibility for giving it, nor can he claim any credit if it should be adopted. Is it surprising that under such a system, we should have fallen into so many and such disgraceful blunders?

But, it is said, and said with great confidence, that all the obliquities of the native character must be corrected by education; that we must qualify them by education before we can entrust them with higher offices in their own country; and, with this view, large sums are annually expended upon colleges and schools, and great expectations are founded upon this expensive machinery. But is there any real ground for such expectations? Let me again refer for an answer to the eminent man whose opinion cannot be too often quoted in this Court.

"We profess," says Sir Thomas Munro, "to seek "their improvement, but propose means the most "adverse to success. The advocates of improvement "do not seem to have perceived the great springs "on which it depends; they propose to place no con- "fidence in the natives, to give them no authority, "and to exclude them from office as much as possible; "but they are ardent in their zeal for enlightening "them by the general diffusion of knowledge.

"No conceit more wild and absurd than this was "ever engendered in the darkest ages; for what, in "every age, and every country, is the great stimulus "to the pursuit of knowledge but the prospect of "fame, or wealth, or power? Or what is even the use "of great attainments, if they are not to be devoted to

" their noblest purpose, the service of the community,
" by employing those who possess them, according to
" their respective qualifications, in the various duties
" of the public administration of the country? How
" can we expect that the Hindoos will be eager in
" pursuit of science, unless they have the same
" inducements as in other countries? If superior ac-
" quirements do not open the road to distinction, it is
" idle to suppose that the Hindoo would lose his time
" in seeking them; and, even if he did so, his pro-
" ficiency, under the doctrine of exclusion from
" office, would serve no other purpose than to shew
" him more clearly the fallen state of himself and his
" countrymen. He would not study what he knew
" could be of no ultimate benefit to himself; he would
" learn only those things which were in demand,
" and which were likely to be useful to him, namely,
" writing and accounts. There might be some
" exceptions, but they would be few; some few
" natives, living at the principal settlements, and
" passing much of their time among Europeans,
" might, either from a real love of literature, from
" vanity, or some other cause, study their books;
" and if they made some progress it would be greatly
" exaggerated, and would be hailed as the dawn of
" the great day of light and science about to be
" spread all over India. But there always has been,
" and always will be, a few such men among the
" natives, without making any change in the body
" of the people. Our books alone will do little or

" nothing: dry, simple literature will never improve " the character of a nation. To produce this effect, " it must open the road to wealth, and honour, " and public employment. Without the prospect " of such reward, no attainments in science will " ever raise the character of a people."

Here again Sir Thomas Munro's predictions have been verified. This scheme for elevating the characters of the natives by education alone has failed—the Committee of public education of Bengal in their report for 1839-40, after many years of trial, complain " of the great difficulty they experienced " in keeping pupils long enough at their seminaries " to carry them into the higher branches of scholastic " learning—the students (they say) quit them pre- " maturely, after having acquired a suffcient smattering " of English to qualify them for inferior Government " situations, or private affairs. We may therefore, " we think, fairly assume, that of the 6550 scholars " in attendance, not more than one in ten is likely " to obtain that degree of knowledge, which shall " produce enlargement of mind, and elevation of " character. The rest of the students will probably " leave the institutions, with no higher acquirement " than a mere clerical knowledge of English—no " improvement in after life is to be expected from " them; on the contrary, the little they have acquired " will, in all probability, be lost, by the absence of " any attempt to acquire more; and they will fall " back into the mass of national ignorance. If this

" estimate of the result of their efforts to disseminate " knowledge on the part of Government be not " correct, it will appear that the education of every " complete scholar stands Government in 57 rupees " a month. The description given of the seminaries " in the West is, after eight or ten years of exertion, " and eight or ten lacs of rupees have been expended " on them, most disheartening: the number of " pupils in them is small, very small indeed. How- " ever incredible it may appear, it is still fact, that " the whole body of English pupils in the thirteen " seminaries established in Behar, and the North " West Provinces, among a population of more than " thirty millions, does not exceed the number in the " Hindoo College, and the General Assembly's " Institution in Calcutta. The students are not of " the lower middle, but of the *lower* class: the high " and influential natives keep their sons from our " seminaries; and so far from considering a knowledge " of English in the light of a social distinction, regard " it rather as a degradation. In almost every instance, " moreover, the only objects of the pupils in these " seminaries, is to qualify them for the situation of " copyists in the public offices: as soon as they can " obtain a post of this inferior quality, their education " is considered complete, and they leave school." The result then of all this enormous expenditure upon education is, what Sir Thomas Munro predicted it would be; a few dozen youths are annually paraded before the public, whose knowledge perhaps enables

them to comprehend and appreciate some of our standard authors; but the mass of the people is no way affected by these efforts. Why is this? Simply because there is no market for educated natives: we monopolize the market. It is not in human nature to act without motives; and we supply no adequate motives to the natives, to devote their time and money to purposes of education.

But are the natives at this moment really deficient in any qualification for such offices in the civil administration, as it is proposed to entrust to them? Unless we suppose ourselves to be their real superiors in intellect, the question must be answered in the negative. Against any advantages that the European may be supposed to have, we must set that intimate knowledge of the language, the manners and customs of the people, which a native alone can possess; a knowledge which at once places an ordinary native above the most gifted European; for no amount of zeal, integrity, or talent, can compensate for an imperfect acquaintance with the language and customs of the country; and an imperfect acquaintance with them, is all that the best instructed European can pretend to; and this, be it remembered, is a knowledge which costs the Government nothing: it is not obtained through the expensive medium of Hayleybury College, and other such Institutions—Institutions, which, in the present state of the finances in India, ought surely to be abolished. Another advantage which the native possesses is, that he works

in his own climate: so that when the European, worn down by his arduous duties, is obliged, at a great expense to himself, and at a still greater to his Government, to seek for health in a distant country, the native is always found at his post, working day after day, year after year, without relaxation, working himself blind, and bringing on premature old age, by his devoted attention to his duties, without costing the Government one extra rupee. A further advantage is, that a native is a fixed agent: he is not looking forward with impatience, which is the case with every European, for the arrival of that period which shall sever his connexion with the public service, and with India altogether. He has no prospects beyond his own country, and his earnest hope is, that he may be able to spend his life in the service of that country; because it is more for his interest to be in active service, than to retire upon a scanty pension; and none but those who have had experience of the injury which is brought upon the public service by a constant fluctuation in the agency, by which that service is managed, can sufficiently appreciate this advantage. It is within my knowledge, that measures of importance have been kept for twenty years in abeyance, solely in consequence of a frequent change amongst the agents, whose duty it was to carry them into effect.

Another advantage of native agency is, that the selection for it is made from a whole nation: this of itself is an immense advantage. A striking proof of

which is, that some years ago the number of officers of a certain class was obliged to be reduced, because competent men could not be found amongst the Europeans to fill them. What was it, I would ask, that brought such an array of talent into the public service of France, during the Revolution, but this, that the selection was made, not from a privileged class, or from the higher classes, but from a whole nation? And can it be doubted that many men of splendid talents would arise from amongst the millions of natives under our rule, if our system would allow of their developement? It is because our system will not admit of this; that it is equally injurious to the public service, and unjust to the nation which is under it. But if any proof were wanting of the fitness of the natives to fill those offices from which they are excluded, it would be found in the manner in which they discharge the functions which they are permitted to exercise. It may not be known to many persons in this Court, that nine-tenths of all the public business of India is now done by the natives: the real work of the country is done by them; whilst the pay, and the credit, go in disproportionate shares to the European.

The many instances of corruption, however, which occur amongst the native agents, may perhaps be adduced as proof, that they cannot safely be entrusted with responsible offices. I am the last man to deny the existence of this corruption; on the contrary, I believe that it exists to a much greater extent than is commonly supposed; that it is systematic, and on

the increase; but I entirely deny the inference. What was it, I would ask, that induced Lord Cornwallis to place the Civil Service on its present footing? Simply this: that the Civil Service might not be tempted by their inadequate allowances, and bad prospects, to enrich themselves by illicit means. And, Sir, the splendid allowances, and encouraging prospects of the European, do place him almost beyond the reach of temptation; whilst the penalties of yielding to the temptation are, to the European, so tremendous, that very few indeed are found bold enough to encounter them. No such motives to honesty are offered to the native. His allowances, with very few exceptions indeed, are barely sufficient to enable him to support his family: all prospect of further improvement is shut upon him. He is placed in the midst of temptation, and where yielding to temptation is hardly attended with a risk; and yet, under those disadvantageous circumstances, he is expected to discharge his duties as conscientiously as the well paid and well prospected European!

No fair trial has ever been given to the natives: no native has ever been placed in a responsible situation with an adequate salary, and with an intimation to him, at the same time, that upon the manner in which he conducted himself, would depend the prospects of his whole race: whether they should be restored to the position which they held under the native Governments, or kept in their present degraded state. No such trial has ever been made, and, it is to be

feared, that none ever will be made; for if the result should be to prove, that the native would make as good a Collector, or as good a Judge, as the European, at one-third, or one-fourth of the expence to the state, what, I would ask, would be the result? This is the very grievance of the natives. They are ready and willing to do those duties, which are now exclusively vested in the European, at a very reduced scale of salary; and we will not allow them a trial. But until we have the courage to give this trial, we have no right to assume, that the native would fail under it.

But perhaps reference will be made to the state of existing native Governments for proof, that natives never can be trusted with power, or with high office, without abusing their trust. I would answer to such objection, that I am not seeking to restore a native system of Government, but native agency under our system of Government, and checked by our own institutions. And I would beg gentlemen to remember, that native Governments are not bad because natives are at the head of them; not because they are administered by men who wear turbans instead of hats, by Musselmen or Hindoos; they are generally bad because they are despotic; because they depend upon the characters of individuals; and as bad men are plenty, and good men scarce — good native Government is the exception—bad Government the rule. This is not, however, peculiar to India: it was the case in Imperial Rome; it was the case in

Modern Russia; it was the case in France, and in Spain; and, allow me to remark, that if instead of liberating Spain in the last war, we had conquered her, and had filled every place of responsibility and emolument in her Government by Englishmen, it would have been an extremely bad excuse to have said, that we had done this because she had been misgoverned by her Ferdinands and Phillips.

Those who speak so lightly of the native Governments of India, seem to think that they were always as we found them when we first took possession of the country, shortly after the dissolution of the Moghul Empire, when every thing was thrown into confusion: but this is an extremely unfair standard by which to measure the merits of native Governments. If we wish to get a true criterion, we must go further back, to the time when that empire was in full power, to the time of Acbar for instance, and we shall then find a Government in every respect suited to the wants and circumstances of the people—a Government in many respects equal, in some respects superior, to our own, under which there was a revenue system to the full as good as ours, a more efficient police, and where person and property were better protected, not from the caprice or power of the prince or his officers, but as between man and man. We shall find this Government mainly administered not by the conquerors, but by the conquered race, Acbar's Prime Minister having been a Hindoo, and he himself identified with the Hindoos by marriage.

And though this Government was not free from serious defects, yet none of them could be fairly ascribed to the native character. They were traceable to the despotism of the Government, and to the wars and convulsions in which Acbar and his successors were involved, and which left them little leisure for the business of Civil Government; and yet, in spite of these disadvantages, it is to native Governments that we owe those stupendous works (themselves proofs, to a certain extent, of good Government,) which give us, at this moment, three-fourths of our revenue in the south of India, and which we are now labouring to restore in the north.

We have laboured under no such disadvantages; not a hostile shot has been fired within the largest part of our empire for upwards of half a century: we have had little else to do than to attend to the business of Civil Government, and, with an agency expensive beyond example, what have we done? In the department upon which depends the protection of person and property, what have we done? What was recorded of this department thirty years ago?

Lord Minto states in a dispatch, dated May, 1810, "That the evidences lately adduced, exclusive of a "multiplicity of other proofs, established, beyond a "doubt, the commission of robberies, murders, and "the most deliberate cruelties; in a word, an aggregate "of all the most atrocious crimes. Nor let it be "supposed that these offences were of rare occur- "rence, or confined to particular districts; they

" were committed, with few exceptions, and with slight " modifications of atrocity, in every part of Bengal."

Mr. Dowdeswell had also observed:—" Were I to " enumerate only a thousandth part of the distress, " and of the unjust sufferings of the people, and " were I to soften that recital in every mode which " language would permit, I should still despair of " obtaining credit. Volumes might be filled with " these atrocities, every line of which would make " the blood of men cold with horror."

What is the state of it at this moment? In a very respectable Paper*, dated in August 1839, is the following observation: " Among the various objects " which will require the attention of Lord Auckland " on his return to the Presidency, there is none " of more pressing importance than the present " state of the police. A " robbery is now so every " day an occurrence, that it ceases to attract attention, " except when accompanied with circumstances of " peculiar atrocity. Bengal, and more especially " the part of it which forms a circle round the " metropolis, is one unvaried scene of outrage and " plunder: no property is any longer secure. To " such a degree of activity have the disturbers of the " public peace attained, that in a variety of instances " their depredations are carried on by torchlight, " as if in utter mockery of the police. The evil " increases day by day: the papers teem with " the most daring robberies, committed by large

* " Friend of India."

" bodies of armed men, under the very eye of the " public officers. The disturbers of the public " peace are no longer confined to those of the lowest " caste; men of aristocratic birth and pretensions will " be found, in almost every instance, to be the " abettors, if not the contrivers, of these plundering " expeditions. A general organization of robbers " has grown up in the country, which embraces men " of all classes, and it is daily increasing in strength " and audacity. And, as the efforts of the state have " failed to secure to themselves the primary blessing " of a civilized Government, security of property, " it is not to be wondered at if the people should " begin to lose confidence in the institutions under " which they live. It is openly asserted, week after " week, that whatever blessings the British Govern- " ment may have conferred on the country, it has " failed in its efforts to give an adequate protection " to life and property. This lamentable state of " things is not to be attributed to want; at no period " has plenty smiled on the districts most infested by " robberies so richly as at the present time. The cause " lies in the weakness, the inefficiency, the oppressions " of the police, which, far from being a terror to " evil-doers, is dreaded only by peaceful and honest " men. The evil has increased to a frightful extent, " and it is daily increasing; the organization is " becoming more extensive and magnified, and de- " predations are marked by increasing audacity."

What is said of the whole frame of our administration

by the very highest authority? "I shall leave India," says Lord W. Bentinck, "with a very strong "conviction of the extreme weakness of our ad- "ministration;" "every branch of the administration "is more or less a failure." These are not, be it remembered, pictures drawn by disappointed, discontented, partial, or ill informed men; they are the work of those who wished to see every thing in the most favorable light, whose comfort and credit depended upon the smooth working of the whole machine — The authors are successive Governors General—Lord Minto, Lord Hastings, Lord Auckland, and Lord W. Bentinck, all of whom spoke from their own painful knowledge of the subject.

Let us turn now for a moment from the state of the police under our own much lauded and most expensive Government, to the state in which it was found in a small territory that had been administered for years by one of the most vicious of native despots. Two years ago we were compelled to take possession of the small principality of Kurnool: we did not wait to enquire whether there might not be, amongst the officers of the Nabob, some native qualified to carry on the administration under our superintendance; our first measure, according to established practice, was to make a place for Europeans. We accordingly sent an European Commissioner, with an European Assistant, there; and what does the Commissioner say of the state in which he found the police of Kurnool? It was so good, he tells us, that it was the common

practice to transport the realized public revenue from place to place in an open basket, under the guard of a single peon; and this at a time when, in an adjoining province of our own, the public treasury had been plundered by a gang of robbers, a short time before, all of whom escaped with impunity; and when, in another neighbouring district, the magistrate reported that the people had come to him in crowds, and informed him, that unless our Government took some effectual measures for protecting them from the oppressions to which they were subjected, under our own judicial code, they should be compelled to emigrate to the territories of the Nizam. These facts should make us a little diffident in speaking of the excellencies of our own Government, and with contempt and abhorrence of the system of native Governments. To what can the " general failure of " every branch of our administration" be ascribed, if not to the badness of the system, and the insufficiency of the principal agents employed in carrying it on? We offer no motives to the native officers to work with us; they, therefore, work against us. We give them miserable allowances, and shut all prospect of advancement upon them: they, therefore, are systematically corrupt. We cannot stir a step without native assistance. The power is ostensibly with the European, but it is really with the native, and he wields that power to the worst of purposes: he leagues with thieves, embezzles the revenue, and takes bribes whenever they are offered him; and our whole ad-

ministration is, in consequence, " more or less a " failure."

But it may be said, " If we advance the native to " higher office in the civil department, we must do " something more for him in the military department?" And why should we not do so? This is not the place for discussing that branch of the subject. I should like much to see it discussed. Is the native, I would ask, wanting in any qualities which are required for higher military command? Was Hyder wanting in them? Was Sevajee? Or a hundred others whose names are familiar to readers of Indian history? Our Musselmen predecessors were not afraid to entrust to their Hindoo subjects with considerable military power. Why should we be afraid to trust them with a little? If we want to know what a native is capable of doing in military command, we must recur to the earlier periods of our history, to the wars of Laurence and Clive, and we shall find the pages of the historian Orme teeming with the exploits of our commandant of sepoys, Mahommed Issof, who not unfrequently commanded both European and native troops, and, unaided by a single European officer, led them with success against the enemy. And what says the historian Mill of the military qualities which this same man evinced, when driven, by a series of unjustifiable acts, into rebellion against our rule? What military qualification did he evince? " He endeavoured," says the historian Mill, " by " negotiation, and the influence of those among the

" English whom he had rendered his friends, to ward " off the blow: but when he found these efforts " unavoiding, he resolved to give himself the chance " of a struggle in his own defence. He was not a " man of whom the subjugation was to be expected " at an easy price. He baffled all the efforts of the " Nabob and the Company until the month of Oct. " 1764, when he had already forced them to expend " a million sterling, and no ordinary quantity of " English blood; and without a deal of treachery, " which placed his person in their hands, it is " uncertain how far he might have prolonged his " resistance." Neither was Mahommed Issof less distinguished as a civil administrator, as the same historian testifies. " According to Fullerton, the " management of the provinces, (Madura and Tinni- " velly,) by the Company's and the Nabob's servants, " had been corrupt and oppressive, and hence pregnant " with disorder in the extreme. One single exception " he produces: Mahommed Issof Khan, while he " ruled these provinces, his whole administration " denoted vigour and effect: his justice was unques- " tioned; his word unalterable; his measures were " happily contrived, and firmly executed; the guilty " had no refuge from punishment." " On comparing," says the English commander, " the state of that " country, with his conduct and remarks, I found " that wisdom, vigour, and integrity, were never more " conspicuous in any person, of whatever climate or " complexion." And yet this native, so distinguished

in his civil and military career, would, under our present system, be placed under the command of the youngest ensign, and be incapable of holding the lowest civil office which is now held by an European.

I have already referred to the able and efficient administration of Mysore, under Poorneah. It may be said, that though unaided in it by any European, he was constantly under the inspection, and, if necessary, the control of most distinguished native officers; and this is precisely the system which I should wish to see introduced; to advance natives to higher offices, and to place them under strict European superintendance. This is what Mr. Elphinstone recommends: but allow me to draw the attention of the Court to an excellant administration, which was entirely native. What does Sir John Malcolm tell us of the administration of the Holkar territory by Ahalya Baèe?

"The character of her administration," says Sir John Malcolm, "was, for more than thirty years, "the basis of the prosperity which attended the "dynasty to which she belonged. Her great object "was, by a just and moderate Government, to "improve the condition of the country, while she "promoted the happiness of her subjects."

"Aware of the partiality which was to be expected "from information supplied by members and adherents "of the Holkar family, regarding Ahalya Baee, facts "were collected from other quarters, to guard against "the impressions which the usual details of her

" administration are calculated to make. It was " thought the picture had been overcharged with " bright colours, taking it more into contrast with " the opposite system that has since prevailed in the " countries she formerly governed; but although " enquiries have been made among all ranks and " classes, nothing has been discovered to diminish " the eulogiums, or rather blessings, which are " poured forth whenever her name is mentioned. " The more, indeed, enquiry is pursued, the more " admiration is excited."

Here are proofs that we have no reason to decry, as we do, the system of native Government; though we may reprobate, with reason, the maladministration of particular natives. The two great vices of a native Government are, its despotism, and its venality: when we cure these, we cure all that is faulty in it. These are effectually cured when British is substituted for native Government: neither despotism nor venality are allowed under our own Government. Whenever, then, we acquire fresh territory, we may safely leave the natives in possession of the offices which they hold, and content ourselves with the territory and the sovereignty.

But it is not only of exclusion from a fair share in the administration of their own country that the natives have to complain; it is the comparatively niggardly manner in which approved native service is rewarded; and, above all, it is the stigma which is affixed to the native character, by our laws, that

touches them; so that when the youngest European officer is by those laws, vested with extensive powers, the smallest powers are jealously withheld from the most experienced native.

"With what grace," said Sir Thomas Munro, "can we talk of our paternal Government, if we "exclude them from every important office, and say, "as we did till very lately, that in a country con- "taining fifteen millions of inhabitants, no man but "a European shall be entrusted with so much "authority as to order the punishment of a single "stroke of a rattan? Such an interdiction is to pass "a sentence of degradation on a whole people, for "which no benefit can ever compensate. There is "no instance in the world of so humiliating a "sentence having ever been passed upon any nation. "The weak and mistaken humanity, which is the "motive of it, can never be viewed by the natives "as any just excuse for the disgrace inflicted on "them, by being pronounced to be unworthy of "trust, in deciding on the petty offences of their "countrymen."

That distinguished man did what he could to remove the stigma from the native character, by vesting the native police officers of Madras with the power of inflicting corporal punishment on thieves, &c.; but hardly were his bones buried, than those powers were revoked; and, at this moment, there are not more than three natives in the province of Madras who are entrusted with such powers; and when a

few years ago, a native was appointed Assistant Collector, an office which, when held by a young European, carries with it extensive magisterial powers, he was by the Government of India stripped of those powers. Besides the enormous injustice of proclaiming to the world, that no native is fit to be entrusted with so much power as will enable him to flog a thief, the anomaly which such a declaration produces in the law, deserves particular consideration. The Court is aware, that under act of Parliament, natives are declared eligible to hold the office of Justice of the Peace, an office, which carries with it extensive judicial powers, civil, as well as criminal, over Europeans as well as natives; so that while the Legislature of this country has declared that natives are fit to be entrusted with great power, at the several Presidencies, we have sedulously stripped them of the little power they enjoyed in the provinces.

I now come to state the special reasons which have induced me to bring this subject to the notice of the Court. Up to the year 1815, the native service of Madras was of a purely ministerial character; no native could exercise any functions, but such as were devolved upon him by his European superior, and he exercised those functions upon the responsibility of the European. In that year some improvement was made in the salaries of the revenue branch of the native service, and important functions were entrusted to the judicial branch, under the regulations which were passed in that year, at the instance of Sir Thomas Munro.

The highest salary that a native revenue servant could attain to under the improved scale was 700 Rupees, or £70. a month; but he was not eligible to this, until he had served for twenty years in the highest office in the department; and as no man could hope to reach to such an elevation before the decline of life, there never were more than two or three at a time in the enjoyment of the maximum amount of salary.

Nothing further was done for the native service of Madras until 1827, when that distinguished man appointed a single native to the high office of *Judge*, giving to the native so appointed, not only all the functions which belonged to the European Judge, but the same title—he was called "Native Judge;" and this was done to shew to the world that, with the exception of salary, it was intended to place the native precisely upon the footing of the European Judge. He recorded his reasons for advancing a native to that office in the following words:

"At present the highest native officers in the "Judicial Department act immediately under the "eye of the European Judge. The highest Native "Judicial Officer who is entrusted to act for himself "at a distance from the Judge, is the District "Moonsiff; but his situation is a very subordinate "one: in criminal matters he has no jurisdiction, "and in civil, it is limited to suits of Rupees five "hundred. The District Moonsiffs, by their general "good conduct, have become a very important part

" of our Judicial system: they have fully realized " all the expectations which were formed of their " utility; and the public benefit which has resulted " from their employment, ought, of itself, to be a " sufficient motive for our availing ourselves of the " services of natives in a higher Judicial station than " that of District Moonsiff. That office, though no " doubt respectable, is still very subordinate, and " ought to be rather the beginning than the limit of " native promotion. We ought to look forward to a " time when natives may be employed in almost every " office, however high; and we ought to prepare " them gradually for such a change, by entrusting " them with higher duties from time to time, in pro- " portion as experience may prove their being qualified " to discharge them.

" The employment of natives in high offices will " be as much for our own advantage as for theirs: it " will tend both to the economy and efficiency of " the administration of public affairs. Every time " that a native is raised to a higher office than had " before been filled by any of his countrymen, a new " impulse will be given to the whole establishment; " the hope of attaining the higher office will excite " emulation among those who hold the inferior ones, " and improve the whole. But this improvement " will take place in a much greater degree when the " new office is one of a high and independent " nature, like that of a Judge. The person who is " appointed to it will be conscious that he enjoys

" some share in the administration of the affairs of " his country; he will feel that his own rank and " character have been elevated by his having been " selected for the high office which he holds, and his " feelings will pervade every class of the department " to which he belongs. I do not mean to say that " we are not to expect misconduct in a Native Judge. " We shall certainly meet with it in him, as in all " classes of public servants; and when we do, it " must be punished by dismissal: but this ought not " to discourage us from continuing the office, for I " am convinced that the instances of misconduct will " not be numerous; that they will become more rare " every day, and that they will weigh nothing in " comparison with the advantages to be derived from " the employment of Native Judges."

Two other natives were appointed to the same dignity in the two following years. After another pause of eight years, (the former boons having been bestowed upon the judicial branch of the service,) it was thought advisable to confer something of a similar benefit upon the revenue branch. A native was in consequence appointed by Sir F. Adam, then Governor of Madras, to the office of Assistant Collector; and in 1838, a similar appointment was made by Lord Elphinstone; and his Lordship at the same time intimated his intention of appointing a native to the office of " Register of a Zillah Court," the lowest judicial office which is held by a European civil servant. But here he was

met by an objection, that none but a covenanted servant of the Company could legally hold such an appointment; and this objection was afterwards extended to the office of Assistant Collector.

It will be in the recollection of the Court, that in the last Charter Act, a clause was inserted, by which it was declared, that no person should be henceforth debarred from holding office in India by reason only of his color, caste, or religion; now, as when this clause was passed, no individual was disqualified from office, by reason of his caste, color, or religion, it was considered by the Madras Government, that if the enactment meant any thing, it intended to open office to persons of every description; or, at all events, that it was intended to open all offices to uncovenanted servants, which the law did not specially require to be filled by covenanted servants. This was the interpretation which was put upon the act by the Madras Government, and in this interpretation the Supreme Government seemed to acquiesce; for they, in the first instance, sanctioned the appointment of a native to the office of Assistant Collector. Upon further consideration, however, they sustained the objection that had been made to the appointment, on the ground, that the law required, that such office should be filled by a covenanted servant; they directed that the appointments which had been made should be cancelled, and they forbad the appointment of a native to the office of Register.

When this decision was made known, the Madras

Government applied to the Supreme Government, to remove the technical objection which had been raised to the appointment, by a legal enactment; but this was refused upon the ground, that it was not considered expedient to legislate *partially* upon such a subject. It will naturally be supposed from this language that the Madras Government had asked the Supreme Government to confer some exclusive boon upon the Madras Native Service; but so far from this being the case, at the very moment when the Supreme Government declared that no native could by law hold the office of Assistant Collector, no less than eighty natives of Bengal were, under the sanction of an express law, holding the office of Deputy Collector, an office which is one grade higher in the official scale than the office of Assistant Collector: the Native Service of Madras therefore saw themselves, by this decision, entirely excluded from a benefit which numbers of their brethren in Bengal were in the enjoyment of. If this decision had been come to, when it was first proposed to appoint natives to those offices, it would have been severely felt, because it would have shewn the natives, that it was not intended that they should reap any benefit from an enactment, which appeared to hold out prospects of improvement to them; but coming, as it did, two years after such appointments had been approved and confirmed by the Supreme Authority, the disappointment was deeply felt.

This decision of the Supreme Government of

India, having been sanctioned by the Home authorities, it appeared to me, that the case of the Madras Native Service was desperate, until I accidentally met with an extract from a minute, which was recorded by the late Lord W. Bentinck, shortly before he resigned the Government of India. And here I am under the necessity of throwing myself upon the indulgence of the Court, because having had the misfortune to mislay the document, which I had intended to read to the Court, I am obliged to ask them to receive its contents from me on trust. His Lordship, in the minute to which I have alluded, after lamenting the small share which the natives were permitted to hold in the administration of their own country, expressed his particular regret, that nothing had been done to give practical effect to that clause in the Charter Act to which I have so frequently referred, and which appeared to be intended to remove all disqualifications from persons holding office in India.

Now, as Lord William Bentinck was at the head of the Supreme Government when he used this language, and as that Government possessed ample power to give practical effect to the enactment referred to, the inference, appeared to me, to be irresistible, that Lord William Bentinck did not think it was proper for the Supreme Government to exercise a power, which might produce a great revolution in the system of the Civil Service, without the previous sanction of the Home Authorities. It was under this conviction that I determined to bring the subject

to the notice of the Court of Directors, through the medium of this Court, in the hope that the executive might be prevailed upon to give such instructions as would prevent the enactment from being any longer a dead letter. Whether the interpretation which I have put upon the enactment be a just one, or whether its framers only intended by it, to open some few offices to native Christians, which had been hitherto held exclusively by Hindoos and Musselmen, the great question remains the same. Is it intended to perpetuate a system, under which the native is excluded from the lowest grade of office, now held by the European Civil Servant, from the offices, for instance, of Assistant Collector, and Registrar of a Zillah Court, offices which are conferred upon a youth, upon his quitting college, offices which I myself held before I was 18 years old! Those who think that enough perhaps has been done for the natives of late years, would do well to weigh Lord William Bentinck's opinions: it was he who did all that has been done for the natives; it was he who created for them the office of Deputy Collector, and of Principal Sudder Ameen; but so far from thinking that he had done enough, he, in common with Sir Thomas Munro, laments it, as the great blot upon our system, the small share which the natives are allowed in the administration of that country.

It may be asked, why Sir Thomas Munro, who had the object of advancing the natives at heart, did so little in furtherance of it when he was Governor of

Madras? It appears, from what I have stated, that only one native was advanced in office during the whole period of his administration, which lasted seven years. The answer is, that Sir Thomas Munro was too wise a statesman to create places for natives. He knew, that the only means by which it was possible to advance natives was, by substituting native for European agency, and that this could not be done so long as the European Civil Service was kept up to its full standard. In what has been done of late years for natives in Bengal, this wise caution has been entirely lost sight of: fresh places have been created for natives, and the expence of the Civil Government of India, proportionably increased. We cannot afford to pay for two Civil Services, a European and a Native. I assert, upon the highest authority, and I challenge contradiction, that it is impossible to maintain the present establishment of the Civil Service, and to give that extension to the employment of native agency which the exigencies of the public service requires, and which justice and sound policy equally demand. The state of the Indian Finances would preclude our giving to natives that amount of remuneration which can alone secure integrity and efficiency, and to bear, at the same time, the burthen of the present European establishment.

The appointment of a few score natives of Bengal to the highly important offices of Principal Sudder Ameen, and Deputy Collector, would, as a first measure, have been one of great importance, but, as

a final measure, which it must be, it is in no ways commensurate with the exigencies of the public service, or with the just expectations of the people; and here I would remark, that the question of qualification is set at rest by these appointments: the judicial functions entrusted to the Principal Sudder Ameens are of the highest importance: if natives are fit to be entrusted with the exercise of such functions, they are fit for any office in the state. It is not my object to invest them with more important functions, but to increase the number of such functionaries, and to give all natives who are employed in responsible offices such a rate of remuneration as will operate as a motive to integrity. We are not slow in throwing arduous duties upon the natives, but we cannot afford to pay them in proportion to their work.

Let me then entreat the Court to consider, that if the present exclusive system is persisted in, not only can there be no further advancement of natives to office, but there can be no hope of improvement in our administration of India. What is the state of that administration? "I shall leave India," says Lord W. Bentinck, "with a very strong conviction "of the extreme weakness of our administration; and "this arises, in a great measure, from attempting to "do, with a small number of functionaries, the work, "that to be efficiently done, would require five or "six times the number at present employed; and the "consequence of thus appropriating, among so ina-

" dequate an establishment, the whole business of the " state. Every department is strained, and the " officers complain of the weight of the duties assigned " to them; and every branch of the administration " is, more or less, a failure."

" The insufficiency of our administration must be " admitted," says Mr. Ross; " but, in my opinion, " it is owing, not so much to the inadequate establish- " ment employed, as to the inadequate pay, and, " consequently, inadequate qualifications of the " native functionaries." Now, whether the complete failure of our administration, in all its branches, is owing, as some suppose, to the inadequate number of instruments employed in carrying it on, or, as others suppose, to the inadequate pay of the native functionaries, the only remedy for the evil is the substitution, to a considerable degree, of native, for European, agency: it is only by such a change that we can find the means, either of increasing the number of our agents, or of paying them adequately. But this substitution cannot be made so long as the law requires, or is supposed to require, that all offices now held by Europeans must continue to be held by Europeans: for so long as the law makes this requirement, so long must the Supreme Government send home indents for maintaining the European establishments at its full strength; and the Court of Directors have no alternative but to comply with those indents. The first step to be taken is to alter the law; and the only question is how this should be done: undoubtedly

the Supreme Government has the power to make the necessary alteration; but judging from what Lord W. Bentinck said, and from the neglect of subsequent Governments to make the alterations, it may, I think, be presumed, that the Supreme Government think that they cannot, with propriety, exercise that power without a previous instruction from the Court of Directors. It is, therefore, that I would entreat the Court to take the initiative on this occasion, and to intimate to the Governments of India, that they are at liberty to appoint natives to any offices for which they may be considered qualified: of course the operation of such an order must be prospective; it could not be allowed to interfere with the claims of any individual now in India, or who may be going to India; but the mere promulgation of such an order from the Court would be most gratifying to the native service in India, because it would shew them that there was a bonâ fide intention of advancing them to a fair share in the administration of their own country. If this is not done, there can only be increasing insufficiency and demoralization in the administration. We are apt to dwell so much upon the prizes that we have lately given to the people, as to forget entirely the blanks. For one prize there are 1000 blanks. The police Darogah, upon whom the protection of person and property mainly depends, gets only 25 Rupees, about £2. a month; the moonsiffs, who try almost all the original suits in the country, have but 100 Rupees. Is it surprising that men charged with such arduous

duties, and so infamously paid, should pilfer and plunder in all directions, and upon every occasion, and bring our administration into utter disrepute? I repeat confidently, because I know that it cannot be contradicted by any one who is conversant with the subject, that by no other means than the substitution of native for European agency, to a large extent, can we hope to improve that administration, which is said, by the highest authority, to have failed in all its branches.

I would beg the Court again and again to remember that what I have suggested is merely a repetition of the recommendations of the most eminent men. Lord W. Bentinck, over and over again, recommended that Europeans should be confined exclusively to offices of control, and that the collectors and their assistants should be natives. Sir Charles Metcalfe was of the same opinion; so was Sir John Malcolm, Sir Thomas Munro, and Mr. Elphinstone: but all the thoughts of these great men have come to nothing. We have created a few places for the natives in Bengal; but that is a very different thing from substituting native for European agency; for the one adds to the expence of Government, which the other diminishes. But at Madras, and in Bombay, in Madras in particular, we have come to a dead stand. We have no pretext for creating fresh places there. The native, therefore, in the present state of things, has no prospect whatever of advancement, whilst the mass of native servants, at all the Presidencies, are

kept upon a scale of allowance, which is a positive premium upon corruption.

Perseverance then, in the present system, can have no other effect than to cramp the minds, lower the character, and alienate the affections of our native subjects. When I say this, it is not in forgetfulness of the benefits which British rule has conferred upon India: we have conferred an inestimable boon upon that country by substituting a regulated Government for an unlimited despotism, and by putting a stop to those bloody contests for supremacy which convulsed India for centuries. But let me entreat the Court to remember, that the generation which could appreciate those benefits, is fast passing away: those who are born under our own rule, and who have had no experience of the rule of our predecessors, cannot appreciate it: they see themselves only as a degraded caste; they see the offices in the civil administration of their own country, which were held by their ancestors, now in the exclusive possession of the Civil Service; they see, therefore, in that service an odious privileged class, such a class as usurped all power and authority in the ancient republics of Greece, and the more modern republics of Italy; and, Sir, we should do well to take warning by the ephemeral existence of those republics, as we should to take example by the more liberal policy of the Romans, who, by degrees, conferred the privileges of Roman citizens upon the whole of their conquered subjects; a privilege which, more than once, opened the imperial purple itself to those subjects.

Let me entreat the Court to consider that, in one respect, our rule in India is more grinding upon the people than the Norman rule was upon the Saxon; for although, at first, the Saxons were as rigidly excluded from all offices of trust as the natives of India are at this moment, yet such restrictions were gradually relaxed, until the interests of the two classes became completely identified, and the races themselves fused into one. But there can be no such interweaving of interests between the Europeans and the natives of India: there are physical obstacles to this: there can be no colonization, no intermarriage. If, therefore, we continue to monopolize every office of trust and emolument, our rule will be more permanently grinding to the native, than the Norman rule was to the Saxon. There is, indeed, I believe, no example in history of such a system as ours; a system, under which every office worth having, is monopolized, from generation to generation, by a privileged class, that class having no permanent residence, or interest in, the country which feeds them; the leading object of that class being, indeed, to quit that country at the earliest practicable period, with all that they can carry from it.

"It is not enough," says Sir T. Munro, "that we "confer on the natives the benefits of just laws, and "of moderate taxation, unless we endeavour to raise "their character; but, under a foreign government, "there are so many causes which tend to depress it, "that it is not easy to prevent it from sinking. It is

" an old observation, that he who loses his liberty,
" loses half his virtue: this is true of nations, as well
" as of individuals. To have no property, scarcely
" degrades more in one case, than in the other, to
" have property at the disposal of a foreign Govern-
" ment, in which we have no share. The enslaved
" nation loses the privileges of a nation, as the slaves
" does those of a freeman: it loses the privilege of
" taxing itself, of making its own laws, of having
" any share in their administration, or in the general
" government of the country. British India has none
" of these privileges: it has not even that of being
" ruled by a despot of its own; for to a nation which
" has lost its liberty, it is still a privilege to have its
" countryman, and not a foreigner, as its ruler.
" Nations always take a part with their Government,
" whether free or despotic, against foreigners.
" Against an invasion of foreigners the national
" character is always engaged; and, in such a cause,
" the people often contend as strenuously in the
" defence of a despotic, as of a free, Government.
" It is not the arbitrary power of a national sovereign,
" but subjugation to a foreign one, that destroys
" national character, and extinguishes national spirit.
" When a people cease to have a national character
" to maintain, they lose the main spring of whatever
" is laudable, both in public and in private life; and
" the private sinks with the public character."

" Though, under such obstacles, the improvement
" of character must necessarily be slow and difficult,

" and can never be carried to that height which " might be possible among an independent people, " yet we ought not to be discouraged by any diffi- " culty from endeavouring, by every means in our " power, to raise it, as far as may be practicable, in " the existing relative situation of this country to " Britain."

These are the opinions of a man of great sagacity, of the soundest judgment, of the most extensive experience; of one who never gave an opinion without deeply weighing its consequences: let me then entreat the Court, upon the authority of this great man, to concede the motion which I have now the honour to submit for their consideration.

THE END.

Printed by John Wilson,
Charles Street, Berners Street.

BENGAL:

ITS LANDED TENURE AND POLICE SYSTEM.

SPEECH

ON

A MOTION FOR INQUIRY IN THE HOUSE OF COMMONS, JUNE 11, 1857.

BY

THE HON. A. KINNAIRD.

WITH AN APPENDIX.

LONDON:
JAMES RIDGWAY, 169, PICCADILLY.

1857.

BENGAL SYSTEM OF GOVERNMENT.

MR. SPEAKER,

SIR,—As one well convinced that in very many respects our government in India has been productive of much good to that country taken as a whole, I claim the attention of this House while I endeavour to set before them, as briefly and as faithfully as I can, the present condition of the Lower Provinces of Bengal, as an exception to that fact, if we are to believe the testimony of residents in that country.* I do this, Sir, because undoubtedly on us lies the responsibility of securing for the people of India the best government that is attainable. I am not actuated by the slightest feeling of hostility, either to the Government or to the East India Company, both of which I have generally supported with reference to India; but I am now painfully convinced that hitherto we have failed to secure to the natives of the Lower Provinces of Bengal those blessings for which Governments exist; and let me impress upon this House the tremendous magnitude of the claims of our Indian

Government of Bengal.

Responsibility of the House of Commons.

* I have given the evidence in support of my resolutions at greater length in this pamphlet than I was able to do in the House during the debate, as it would have occupied too much time.

empire. The age in which we live is an age of wonders; but certainly not one of the least is the almost utter indifference that has hitherto been manifested here to these claims, and to the interests of one of the mightiest empires of the world, committed to us, as was well said by my Right Honourable friend, the late President of the Board of Control, not for the selfish purpose of our own aggrandisement, but that we should raise it to the participation of the same privileges which we ourselves nationally enjoy.

Magnitude of claims.

Neglect.

Yes, Sir, we have neglected our duty to India; let us repair that neglect, and at least give some earnest and constant attention to its claims for the future. When the interests of 30,000 of our gallant soldiers in the Crimea were thought to be neglected, how wide spread the sympathy. When the 7,000,000 of Ireland were afflicted by a sore famine, how generous the response to the cries of distress. But these numbers sink into absolute insignificance in comparison with the numbers on whose behalf I feel it my duty to plead to-night.

Population of India 150 or 160 millions.

In India, 150 or 160 millions of human beings (a sixth of the population of the world,) are under the sway of the British Crown. A population greater in number than the combined populations of European Russia, of Austria, of France, and of Great Britain, and six times greater than the population of all the other British Colonies taken together.

Comparison with other Colonies.

Lower Provinces of Bengal.

But, as I have intimated, I intend to confine my observations to the state of the Lower Provinces of Bengal, which of themselves form an area of about

290,000 square miles, and contain a population of from 40 to 45 millions. These have been for nearly a century, more or less, under the dominion of England, and being our first possession, *there* have been committed, I apprehend, our greatest mistakes in government, and mistakes of such a nature that it is exceedingly difficult to rectify them. It is only since 1854, after the renewal of the East India Company's Charter in 1853, that Bengal has even had a separate governor. Again, the system of landed tenure, established by Lord Cornwallis in 1792, has been a source of boundless misery. Good in theory, and if honestly carried out, all those provisions in it calculated to protect the poor have been practically lost sight of. It is known by the name of the Perpetual Settlement, and the Zemindary System. Founded with the most benevolent intentions, praised by Pitt and Dundas at home, and by Lord Wellesley (Lord Cornwallis's successor) in India, while the Court of Directors congratulated themselves on having at length done their duty by the establishment of institutions so admirably adapted to promote the welfare of the people of Bengal, I impute blame to no one with regard to its adoption. All I say is, that, as it has been carried out, its results have been most disastrous to the people of Bengal. Compare the state of the Lower Provinces with the North-West Provinces, which have more recently come under our sway, and you will see in the latter the beneficial results of good government, and in the former the evils of grinding oppression. While in eight years, Lord Dalhousie, in the Punjaub, which

Oldest possession and worst governed.

Separate Governor, 1854.

Perpetual Settlement, 1792.

North-West Provinces.

Punjaub, 1848. came into our possession in 1848, created a system of government said to be free from all the defects developed in the older provinces, and with due allowance for the weakness of the native character, a perfect model of excellence. But in Bengal our institutions

Contrast of Bengal. are pronounced a failure; and some who know the country, feel that we are on the eve of a crisis, for not only are things bad, but in many respects they are growing worse. Let this House just consider that the Europeans, who are the governing class, are but a handful compared with the natives, less than 100,000 against 150 millions, and you will at once perceive that our power rests on prestige. Destroy this by any violent shock, and our power is gone. The Hindoos are no doubt a patient people, but there is a limit to human endurance, and if we overpass that limit, who can predict the consequence?

Petition of the Missionaries. The petition of the missionaries which I had the honour to present to this House at the close of the last Session, had its origin in their knowledge of the miseries of the people. They first addressed themselves to the Lieutenant-Governor of Bengal, Mr. Halliday,

Refusal of its prayer. and the Governor-General in Council; but the petition which they presented for inquiry into the social condition of the people of Bengal, was dismissed with the usual official assurances that inquiry was useless; that the evils, though great, were exaggerated; and that remedies would be applied which inquiry would only delay; though Mr. Halliday and even Mr. Grant himself, in their answers, practically admitted the truth of nearly all their representations. I feel persuaded,

judging from his former policy, that had Lord Dalhousie been Governor-General, he would have granted the enquiry. As it is, they had no resource but to address themselves to the Parliament of England, with the hope that we would listen to the cry of oppression; which, whether we hear it or not, is rising up from the millions of Bengal. That they are justified, nay much more than justified in the course they have taken, I unhesitatingly maintain; and that their testimony is of the greatest value, and deserving the highest credit, I conscientiously believe. Of no one party, but connected with various Christian denominations, conversant with the every day lives of the people, unconnected with the Government and the Civil service, gentlemen of British birth and liberal education, with English ideas of justice, what one body in India is so calculated as they to take a just view of the social condition of the people? *They are, in fact, the only body in India who have no class interests to serve.* These are not days when men can discredit the testimony of missionaries—they are too well known and appreciated. The name of Livingstone alone forbids it. Two of their number, Dr. Duff and Mr. Mullens, are on the Council of the New University, and three are native ministers.

Petition to Parliament.

Claims to be listened to.

Duff, and Mullens.

I am the more induced to bring this question under the notice of the House, that in 1843 the Parliamentary Inquiry was terminated, before this question of the social condition of the people was mooted.

No inquiry when Charter was renewed, 1843.

This House will agree with me, that a Government

that does its duty, should, at least, secure to the subjects of that government these four things :—

1. The administration of justice.
2. Security to life and property.
3. Protection to all classes, poor as well as rich.
4. Exemption from excessive taxation.

It becomes, therefore, my duty in submitting the resolutions which I am about to move to this House, to give them such information as is within my power, on these several points; and if I succeed in shewing that on all these points our administration is radically and grievously defective, I must believe that they will take some effectual steps to secure for these our fellow-subjects those rights to which they are as much entitled as ourselves.

Our administration defective.

I must claim the indulgence of the House, if I enter at some length into the accounts given of the present social condition of Bengal, as the strength of my appeal lies in the facts of the case; and therefore a summary glance at these would fail to communicate the impression which I am anxious to convey to the House; and let me say at the outset, that it is my aim to understate rather than to overstate the case, which in truth needs no colouring of mine to make the picture more gloomy—it is gloomy enough of itself.

Facts.

I shall take up the subjects of inquiry in the following order :—1st. The Perpetual Settlement and Zemindary system, which will include the taxation of the people; and 2ndly, the Police system, and the administration of justice.

I. The Zemindary System.

"To understand the system of landed tenure in Bengal, we must bear in mind that the Hindoo cultivators are the tenants of the Government. The Government is not only the ruler, but the landlord. The land tax, therefore, which constitutes the bulk of the revenue, is virtually rent. From 1772 to 1792 it was the custom to farm out the collection of the revenue to the highest bidders for terms of ten years. Since 1792, when Lord Cornwallis established what is called the Permanent Settlement, the land has been permanently invested in the hand of the Zemindars, who have an hereditary right to the district allotted to them, on condition that they pay to Government the prescribed amount of tax. It seems to have been his wish to raise up an aristocracy in Bengal like that in England. By the same act, the peasant who holds from the zemindar has an equal right to his small holding as the zemindar has to his district, so long as he pays his assessed rent; *but his legal rights are worthless, as he has no power to enforce them.* As an example of the oppression he endures—if a zemindar, on account of the failure of crops, obtains a remission of the tax to Government, having gained it for himself, he still exacts the tax from the ràyat, carries the account over to the next year, and charges him interest; the ràyat is from that hour practically a slave."

Zemindaree System.

Ràyat.

"The simple fact is, that Lord Cornwallis provided, with the settlement, a series of measures to protect the cultivator; and while that settlement has been upheld with sacred care, these measures have been *utterly disregarded.* The cultivator experiences no benefit from one of them. He can get no lease, no receipts; he has no protection against arbitrary and extortionate cesses in addition to his rent. But more than this, the Government had one object—*to get its land tax under the settlement.* What then? It gave the zemindars enormous powers, and reduced the cultivators to slavery."

Regulation, No. 7. "In 1799, a regulation (*No.* 7) was passed, giving the zemindars powers to summon, and, if necessary, *compel*, the personal attendance of their tenants to settle rents, adjust accounts, measure boundaries, or '*any other* just purpose.' Under this, nearly every zemindar has his own bludgeon men, his own court, his own prison; aye more, as it is universally believed, his own modes of torture. This law and the Regu-

No. 5. lation *Five of* 1812 together constitute almost the most severe laws in the world, in the form of laws of distraint; and inconceivable misery is occasioned by them. Nothing whatever in the shape of an attempt to relieve the people has been heard of since *a proposed* measure in 1824, *which was not carried.* Bengal has been neglected in a most extraordinary manner; the condition of the people has not been a matter of Parliamentary inquiry; the real state of the case is known only to a few civil servants, who all these years *have done nothing*, and are utterly unable to explain their neglect; in fact, there is in Bengal an amount of suffering and debasement which probably you could not find exceeded, or even equalled, in the slave states of America."

This last is the testimony of a long resident in India, and a judicial person.

In answer to the question whether the lower provinces have deteriorated, I am told:—

"It can scarcely be said with strict accuracy that Bengal and Behar are *deteriorating*, when the agricultural produce of these provinces has been doubled, perhaps trebled, in the last 60 years. The increase of the exports of the Gangetic valley creates, year by year, greater surprise; but with all these elements of prosperity daily developed, the rayat alone lan-

Causes of deterioration. guishes, and his condition has deteriorated and is deteriorating. This may be attributed to two causes. 1. The over population of Bengal, which is emphatically a *pauper warren.* Nine-tenths of the people live only by tilling the soil, and they must

have land to cultivate, or starve. The zemindar is therefore able to make his own terms, and to impose whatever exactions he pleases. If one man refuses to take the land, there are others ready to bid for it. For this evil of over population there is one remedy alone, a system of emigration to Assam, to Aracan, and to Pegu, where labour is scanty, and exorbitantly paid. The 2nd cause of this wretchedness is the absence of any institutions of our creation, which effectually protect the poor from oppression. In this respect Bengal is worse off than Behar, where the more manly population restrains oppression and extortion by resistance."

Again, I am told:—

"The power of the zemindar arises partly from his position as a great landlord among a submissive tenantry and a feeble executive government; and partly from the laws of distraint commonly called the Panjum (5th) and Huftum (7th), the very sound of which freezes the blood of the poor ràyat. These laws are oppressively severe, and enable a zemindar at any time to sell up a refractory or obnoxious tenant. The tenant has his remedy in a law suit, which is no remedy at all; for the zemindar is careful to keep up his influence and interest in the courts by bribery, by intrigue, and by systematic and organised collusion with the native ministerial officers, who form a rampart round the solitary English judge, which he is seldom able to break through." *Zemindaree System.*

The authority which I first quoted, says on this point —

"A few shillings will buy any number of false witnesses; and the police take the strongest side."

The *Friend of India*, Sept. 1852, said:—

"A whole century will scarcely be sufficient to remedy the evils of that perpetual settlement, and we have not yet begun

Its baneful influence.

the task. Under its baneful influence a population of more than twenty millions have been reduced to a state of such utter wretchedness of condition, and such abjectness of feeling, as it would be difficult to parallel in any other country."

Another writer says:—

Revenue System.

"The revenue system has also contributed a very large share towards the production of this state of things. It has ever been regarded as the first of duties on the part of every government official in Bengal to secure at all costs the revenue. Every right, hereditary or acquired, has been sacrificed to revenue, until, of all insecurities, the tenure of land has been the most precarious and uncertain. The absolute power wielded by the collector for the purposes of revenue has been delegated to the zemaindar for the acquisition of rent. For how could the zemaindar pay revenue if he could not secure the payment of his rents? Hence the promise of the Government, to secure to the hereditary tenures of Bengal the rights possessed at the time of the perpetual settlement, has been faithlessly broken, and so far as legal protection goes, the ràyat is at the mercy of the zemindar. He *has* rights, and rights too recognised by law, but the law gives him no means of securing them, nor any protection against invasion on the part of the stronger. Even where the law is open to the ràyat, the costliness, the chicanery, the corruption of the courts are such as to operate as a complete barrier to success."

Again:

"The Government are again in fear of a Santhal outbreak, or rather an insurrection of the Coles, the neighbours of the Santhals, in the hills of Central India. The same causes are at work to produce it. A high revenue charge, the extortions

of usurers, and the police, are likely to bring about the same result."*

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* As an illustration of the working of the zemindaree system among the Coles, I subjoin this account sent to me by a judge in India, of what took place only last year, till the English magistrate found that the native deputy magistrate could not be trusted in cases where Christianity was involved. The writer says, "The persecutions of the Christians are this year more fearful and unheard of than ever before. The native assistant to the Magistrate is of one mind with the zemindars. . . . . Dismissing and fining the Christians, and robbing, plundering, beating them, is the order of the day in all the Christian villages. Sometimes it happens that in one day Christians of three or four villages are coming to us, lamenting that their houses, threshing floors, or fields, were plundered. Meanwhile these shameless plunderers put law-suits in the Court, stating that the Christians have plundered their fields, and against as many Christians as they possibly can at once, that no witnesses may remain to give evidence against their statements. . . . Tuesday last, the threshing floor of a Christian was plundered, and he so much beaten, that he fell down for dead. . . . . He had a severe stroke over the forehead, two teeth broken, and was so much beaten and trampled upon, that he was not able to stand. . . . . We hear that the zemindars, who have caused this cruelty, and have plundered our brethren, came into the Cutcherry (Court house) yesterday, saying, 'There may come a Christian of our village complaining that we have beaten him, this is a lie. He was drunk, fell, or injured himself, and therefore we beg that his complaint against us may not be accepted.'" Again, "They, as well as all the villagers, conceal themselves every night outside the village, because the zemindars have sworn to plunder and to burn the village. . . . . The zemindars have laid a strange plan. They intend to bind all those who will come in the beginning of the new year to engage for fields, by signature upon stamp paper, not to become Christians, and to submit to all whatever the zemindars will ask from them, and to all labour they may put upon them." Again, in a letter dated 12th December, 1856, it is said, "The night before last the house of our brethren at ———, was burnt down to the ground. A short time ago he had been plundered. . . . . On the same day, in the same village, another brother was bound, and continually cold water poured upon him; meanwhile, others stood by fanning him, to torture him with cold. In another village, ———, the zemindar caught four Christians, imprisoned them, and threatened to beat them with shoes. But as soon as the rumour spread in the village, all the people gathered before the zemindar's house, and asked him to relieve the brethren, which was done. But now the zemindar put a law-suit into the Cutcherry against the whole village, stating that they have attacked his house, intending to plunder it." This account, which has only recently reached me, is valuable as an illustration of what is done by zemindars and native assistant magistrates, when not sufficiently controlled by English magistrates, willing to do their duty. It is well

In the appendix to the Missionaries' petition, there are these statements :—

"The purchaser of an estate must be prepared to contest numerous lawsuits with his neighbours, to keep in his pay a

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to observe that as the zemindars are not the proprietors of the land, they can have no legal right to make conditions with their rayats, that they shall in fact be their slaves; or, at any rate the Government has a right to say, we forbid such conditions, as the Government is the proprietor of the land.

I shall cite one more case, which is in some respects more melancholy, inasmuch as the decree of the English magistrate in favour of some persecuted Christians in the village of Baropakhya, in the district of Backergunge, in Bengal, was reversed by an experienced Sessions Judge. This case is also important, because the decision of the Sessions Judge was reviewed in the Sudder court, at Calcutta, which is the supreme court of appeal in civil cases, at the instance of Mr. Halliday, the Lieutenant-Governor. The Sudder unanimously decided that the judgment of the Sessions Judge was wrong, and that he ought to have sustained the conviction of the magistrate. But notwithstanding this, the criminals could not be re-tried, having been acquitted by the Judge, and set at liberty; and the poor native Christians remain to this day deprived of their lands and property. The Sessions Judge is, however, to be removed. The facts are briefly these. Fourteen native Christians were on the night of the 1st of July, 1855, forcibly seized, bound, beaten, and carried away from their homes; one was tortured, and all were carried about the country for six weeks, while their lands were given to others. The Magistrate, on the 28th of November, sentenced their invaders to imprisonment and labour. This judgment was appealed against, and the defendants were admitted to bail. On the 6th of January, 1856, the prisoners were all acquitted by the Sessions Judge, and released; while the police were commended; and he endeavoured to fasten an accusation on the Christians themselves of having fraudulently got up the case. The *Dacca News* thus refers to this melancholy subject :—

"There is nothing so convincing to our minds of the absolute necessity of a Parliamentary Commission, to inquire into the state of this country, as the fact that the minds of men living in India become accustomed to a certain way of looking on the things that exist around them, and see nothing at all uncommon in events that would strike an Englishman, fresh from England, with horror and disgust. We were conscious of this indifference in ourselves when we read the pamphlet by Mr. Underhill, detailing the sufferings of the Baropakhya Christians. What—said we to ourselves—is the man making such a fuss about? The Christians were only carried off, and *chullauned* about the country for a month and a half; only one man seems to have been a little tortured. The Magistrate commits to the Judge their persecutors, and the Judge does—what most Company's judges do—decides against the Christian, European, or

body of club-men sufficiently powerful to overawe theirs, and to make two or three quarterly payments to the collector, before the estate has yielded him any income. It is owing to these difficulties that so few English capitalists have laid out their money in the purchase of land in Bengal."

"An able Government officer once remarked in a conversation with the writer, that 'the reason why the lower provinces are called *settled*, must be, because everything in them (concerning boundaries) is *unsettled*, just as *lucus* is so called *a non lucendo*.'"

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native. It is quite a common case—has happened to ourselves a hundred times; we are quite accustomed to be decided against. Messrs. Page and Underhill cannot expect to fare better than other European 'interlopers.' Throughout Mr. Kemp's decision run two ideas that are stereotyped in Anglo-Indian minds, which are, that the 'interloper,' whether missionary or planter, who comes before the courts, is either a fool—(this idea is not so absurd)—or a knave; that he must always be the oppressor, and can never be oppressed, or he would have righted himself; and that native Christians—'apostates' from heathenism, as Mr. Kemp politely calls them—must be rascals. These ideas are universal in India; so universal, that even the traduced classes themselves concur in them.

"It is with regret that we have read Mr. Kemp's decision. The conclusion we are irresistibly led to form, from this perusal, is, that Mr. Kemp had decided the case, on the abovementioned Anglo-Indian principles, before he had ever seen a paper in the case, and then tried to defend his conclusion from papers afterwards furnished to him. Mr. Kemp is one of the Company's crack judges. What must the others be?

"But the case of the Baropakhya Christians is but a drop in the bucket to what is daily suffered in Burisàl. For several years, before Planters dared to speak out, we tried, in the correspondence columns of the *Englishman*, to excite public attention to the state of that unhappy district. We have heard of a Darogah getting Rs. 3,000 in a single case. We have heard of a Thannah Mohurrir, whose salary is Rs. 7 a month, returning home after six months with savings amounting to Rs. 600. We have heard that the salt peons receive a salary of Rs. 4 a month, out of which they are expected to provide a boat, which alone costs Rs. 7 monthly. Were things worse in Oude? Did we annex Oude because 500 villages were depopulated? We can show as many in Tipperah. We were blamed because we said the name of Englishman had begun to stink in the nostrils of the people. Have not the planters of Serajgunge, in their petition, proved that our assertion was no exaggeration? We *must* have a Parliamentary Commission."

"A 'statute of frauds' should be enacted, declaring the prevalent practice of *benami* (anonymous or pseudonymous) possession to be illegal. The ostensible owner should be treated by the law as the real owner to all intents and purposes. The system of secret trusts, now prevalent, is a gigantic fabric of iniquity and fraud, to which the world probably cannot furnish a parallel."

Zemindaree System.

"The position assigned to zemindars by the law, is very peculiar. They are neither bonâ fide landowners, nor bonâ fide fiscal officers, appointed to collect the land-tax. They are almost all, however, in the habit of treating their ràyats not merely as their tenants, but as their serfs. They call themselves rajahs or kings, and the ràyats their subjects. They almost universally either claim more than their due, or else they claim it in an improper manner, for it is not easy to determine what really is their due. They exact contributions from their ràyats when a marriage or a birth or a death takes place in the family. They exact contributions for the avowed purpose of observing funeral rites in commemoration of their dead ancestors, and of celebrating the annual heathen festivals. These practises are almost universal. In numerous localities they exact from the ràyats gratuitous labour in the field or at the oar; and compel the poor people to allow them, without payment, the use of their cattle or of their boats, if they possess any. It is not unusual, especially at a considerable distance from the civil stations, for zemindars to go still further in the abuse of their power, by inflicting imprisonment and torture upon any ràyat who may have incurred their displeasure."

Can we wonder that witnesses of such a state of things should, before the last charter was granted, have addressed Parliament thus:—

"That your petitioners believe, that a strict and searching inquiry into the state of the rural population of Bengal, would

lead your Honourable House to the conclusion, that they commonly live in a state of poverty and wretchedness, produced chiefly by the present system of landed tenures and the extortion of zemindars, aggravated by the inefficiency and the cruelties of the peace-officers, who are paid by the Chowkedarry tax or by the Government."

Or that later still, they should thus have addressed Lord Dalhousie, when his government was drawing to a close, with the hope that should the subject ever be discussed in Parliament, he would bring to bear upon it his ability and influence.

"The conviction that even after returning to England, and commencing afresh to take an active part in the labours of the imperial legislature, your lordship will always endeavour to promote the welfare of India, encourages us to give expression to the wish that your lordship's special attention might be directed to the lamentable condition of the peasantry of Bengal, to the causes of that condition, and to the best means of ameliorating it. We take the liberty of alluding to this subject not merely because we know both from our own experience, and from the testimony of other missionaries, that the present working of the zemindaree system is one of the most powerful obstacles to the spread of Christianity in this country; but also because we are convinced that it is a great and growing evil, particularly when considered in connection with the general character, both of zemindars and ràyats. It encourages the concealment, and consequently the commission of crime. It impedes the administration of justice; and whilst it emboldens the rich to set the law at defiance, it leads the poor to despair of obtaining redress, even against the greatest wrongs that may be inflicted upon them. We have reason to believe that a spirit of sullen discontent prevails even now among the rural population, from an impression that Government is indifferent

to their sufferings. The zemindaree system may be convenient as a fiscal measure; but, on the other hand, the experience of sixty years proves that it tends to demoralize and pauperize the peasantry, and to reduce this fair and fertile land to a condition similar to that under which Ireland suffered so grievously and so long."

Or can we wonder that they should have adressed the Lieutenant-General of Bengal, and through him the Governor-General in Council, in these words?—

"That your Petitioners recognise in the perpetual settlement an important boon to the whole presidency, in its limitation of the land tax, and they regard that settlement as the probable foundation of great national prosperity. But in the practical operation of the system, your Petitioners observe two distinct classes of evils.

"*First*, the under tenures are insecure; the rents of the cultivating classes are capriciously varied; and the interests of those classes are virtually unprotected.

"*Secondly*, the zemindars are armed with extraordinary and excessive powers.

"That your Petitioners believe it to be notorious, that the intentions of the laws for securing leases to the tenants; for securing them receipts on their payments of rent; for limiting within just bounds the rents reserved in leases; and for checking the custom of exacting abwabs and other arbitrary additional charges and cesses, are commonly frustrated and defeated. On the other hand, the power of the zemindars, (as recognised in Reg. VII. of 1792, Sec. 15, cl. 8,) to compel the personal attendance of their tenants, for the adjustment of rent and other purposes, is, particularly in many parts of the country, a substitute for the regular and ordinary processes of the law, and is virtually the subjection of the tenants to a state of slavery. And, further, this evil is in many instances

greatly aggravated, by the estates being held in co-tenancy, so that several shareholders, who are often in a state of conflict, equally exercise an arbitrary and unrestrained authority.

"That while this law thus presses severely on the tenants, your Petitioners observe, that from the increased cultivation of the soil, and the greatly increased value of its produce, the zemindars, who were primarily regarded simply as collectors of the land tax or farmers of the revenue, entitled to a fair profit on the returns, derive a revenue greatly in excess of the revenue which they pay to Government. And thus, contemporaneously, while the zemindar has been rising in wealth and power, the tenant has been sinking into penury and dependence, subject to illegal and exhausting exactions, harassed by contending proprietors, and oppressed by the exercise of extra-judicial powers.

"That your Petitioners are compelled to add, that other evils increase the wretchedness of the condition to which a tenant is thus reduced. The village chowkedars are the servants of his landlord; the government police are corrupt, and he cannot vie with his landlord in purchasing their favour; the courts of justice are dilatory and expensive, and are often far distant from his abode, so that he has no hope of redress for the most cruel wrongs; and he is frequently implicated in affrays, respecting disputed boundaries, in which he has not the slightest personal interest. Ignorant of his rights, uneducated, subdued by oppression, accustomed to penury, and sometimes reduced to destitution, the cultivator of the soil in many parts of this Presidency, derives little benefit from the British rule, beyond protection from Mahratta invasions.

"If fixity or permanence of tenure were established, then, immediately, as your Petitioners believe, the tendency would be to establish just relations between the landlord and the tenant from the highest to the lowest; and that principle, your Petitioners therefore earnestly desire to see adopted and carried out. At present it is infringed, in the first instance,

by the right of the Goverment to sell the land for arrears of revenue, and thereby avoid the under-tenures with some few exceptions; and then, still more, by the entire absence of protection to the tenants, and the undefined relations of landlord and tenant through the Presidency.

"That your Petitioners believe that they have truly and accurately represented the condition of the cultivating classes. Your Petitioners believe it to be true, that superadded to the evils they endure from a corrupt and inefficient police, and an administration of civil and criminal justice which confessedly requires extensive improvement, they are liable to be constantly harassed by the conflicting and unsettled claims either of contending shareholders of joint estates, or of contending neighbouring proprietors; by the severe laws of distraint and arrest; by the power of their superior landholders, whether zemindars or middlemen, to compel personal attendance at their pleasure; by illegal exactions; by the unfixed nature of their tenures; and by the prevalent custom of refusing both leases and receipts."

II. Police and Justice.

I must now turn to the police system, and the administration of justice, and inquire how far this is calculated to remedy such a state of things. I will cite a few authorities on these points.

Petition, 1853, by 1800 Persons.

"A separate petition, signed by 1,800 Christian inhabitants of Bengal, was presented to Parliament in 1853, in which they stated that the 'police of the Lower Provinces totally fails as respects the prevention of crimes, apprehension of offenders, and protection of life and property; but it is become an engine of oppression and a great cause of the corruption of the people;' 'that torture is believed to be extensively practised on persons under accusation;' and that 'all the evil passions are brought

into play, and ingenuities of all kinds, both by people and police, are resorted to;' and this petition also bore strong and emphatic testimony to the wretched condition of the people, and the unsatisfactory state of the judicial system."

Again, the missionaries, in their petition to the Governor-General in Council, make this statement; and one of the points they here notice is almost *the only one not admitted by Mr. Halliday* in his Minute on their petition, namely the feeling *of discontent and hatred* arising in the people. If they are not discontented and angry they must indeed be a marvellous people; and I for one should think the evidence of the missionaries more worthy of credit than even Mr. Halliday's *on this point*, considering that he has not permanently resided among the people since 1843, when he became Secretary to the Government of Bengal.

Missionaries' Petition to Legislative Council.

"That your Memorialists would now look to his Lordship, the present Governor-General in Council, and the Legislative Council of India, at this season of peace and financial prosperity, to deal with these important matters with adequate earnestness, and with a view to comprehensive and complete reforms. *Your Memorialists feel themselves bound to declare, that they view with alarm, as well as sorrow, the continuance of the evils which they have so long deplored, and the effects of which are seen in the demoralization and the sufferings of the people; and that they believe that measures of relief can with safety be delayed no longer; as from the information they have acquired, they fear that the discontent of the rural population is daily increasing, and that a bitter feeling of hatred towards their rulers is being engendered in their minds.*

"That a Bill, called an Affray Bill, was read a first time in

Council about three years ago, the object of which was to render liable for affrays, not merely the ignorant clubmen who are hired, or the dependent tenants who are compelled to take part in them, but those also for whose benefit they are undertaken, and without whose connivance they would not occur; and that your Memorialists believe, that the official information by which the necessity for that measure was proved to the Government in 1853, would satisfy the present Government, that practices are common, in the Mofussil, of reckless lawlessness and violence, and that there is such an indifference to human life and suffering, as indicates a fearful state of demoralization and anarchy."

A long resident in India says on this point—

"The police is not the worst in the world, only because, in the proper acceptation of the term, there is no police at all, but a system of organised chicanery and oppression."

The *Friend of India* says—

Friend of India.

"Disgust is lost in astonishment at the mysterious principle of cohesion by which it is still held together."

Another writer says—

Torture by the Police.

"In my last I intimated that torture by the police was not confined to the presidency of Madras. I will now substantiate my assertion. And in order to avoid all doubt, the instances I shall give shall be taken from the records of the Sudder Nizamut Adawleet, the highest court of appeal in all criminal cases, and other unquestionable authorities. The district of Dinagepore, in which Malduh is situated, lies some 200 miles to the north of Calcutta. On the 14th November, 1853, seven police officers proceeded to arrest Bhador Nussoo, on the charge of dacoity, that is burglarious robbery. One officer was a darogah, the chief of the police of that division; the second was

the next in command; the rest were common policemen. The prisoner was first bound hand and foot, and beaten. The darogah himself then beat him with a whip on the back. As the stolen property was not forthcoming, the man was again beaten. The poor wretch now pointed at some property as stolen, which in fact belonged to the man with whom he lived. It did not satisfy his tormentors, and he was beaten senseless. At the order of the chief officer, a bamboo was now brought, on which he was slung, tied hand and foot. On reaching the cowshed, where the police had other prey, he was found to be dead. The beating was skilfully performed by sharp raps on the joints, also by punching and poking him with sticks so as to leave no external marks. By the medical officer it was considered that the further torture had been used of rolling two sticks fastened together down the thigh and leg. This was done to extort from the man the plundered property and the names of his accomplices. After all, it would appear that he was innocent.*

"Only in January last three police officers were convicted at Saharunpore of torturing, beating, and starving ten men, in order to obtain information of some robbery. The torture was suspension from a tree by the arms, like that mentioned above. This was continued for several days. One man died. At Ahmenabad, a police officer was dismissed for suspending a man to a beam by the hair of his head, and having had the man beaten while thus suspended. It is a very common mode of torture by the police to put red pepper, or the dust of chillies, into the eyes of prisoners or suspected thieves, to make them confess."—(*Cheevers*, p. 216.)

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* I do not advert to the system of torture with the view of implicating the Government, who, I believe, have done what they can to abolish it, but because it is hardly possible to take a just view of the miseries inflicted by the police without adverting to it. It will take years to eradicate it, as the system prevails throughout society in India: even parents will torture their children, and it has come down to the people from their ancestors as a venerable institution.

"A few years ago the house of the missionary of Dinagepore was assaulted by dacoits. He escaped, but his native preacher was killed. Several men were convicted, chiefly on their own confession, and punished for the crime. During the trials the attention of the judge was called to the state of the prisoners' feet. They bore evident marks of torture. No notice, however, was taken of the fact. Not long after, a gang of robbers was arrested, which it was proved had committed the crime. The punished men were innocent, and the confessions which led to their conviction had been extorted by the cruelest and most atrocious means.

"But these instances are enough. Ask any judge or magistrate in Bengal, and he will tell you that torture is practised by his police; that the object is not to discover the criminal, but some one who will confess the crime. Often the police are bribed by the guilty party. If the crime cannot be hidden, an innocent man is seized, and by tortures of the most atrocious kind, he is induced to confess that he has committed the offence. It is so notorious, that criminal prosecutions are often dismissed by the magistrates, because the confessions are obviously constrained. Nor will the practice cease until the confessions of prisoners are deemed of less importance than they are by the administrators of justice.

"It would occupy too much room to detail to your readers how these gentry oppress the peasantry of Bengal. How the appearance of the police in a village is a signal to bury food and treasure, or for the inhabitants to flee. How any offender, if rich enough, may usually bribe the thief-taker, and even purchase his good offices to fasten the crime upon an unoffending neighbour. How torture is not unfrequently employed to extort money, or confessions of guilt, or accusations against innocent men. All this, and much more, is so common in Bengal, that the sufferings of the ráyat now pass unheeded, the commonness of such things has produced indifference.

Inexperience of Magistrates.

"But this is not all. The evil is increased by the in-

experience of the persons appointed to the magisterial office. On arriving in this country the juvenile civil servant is placed under a superior to gain a knowledge of business, and to prepare for future service. But so low in estimation, or rather in the scale of emolument, has the Honourable Company placed the magistrate's office, that it is for the most part filled by young and 'therefore unqualified' men. The introduction of these inexperienced men has largely increased of late years. In 1850 the average standing of magistrates was nine years and eight months; it is now so low as six years and ten months. No wonder that Mr. Halliday should affirm that 'our magistracy is losing credit and character, and our administration is growing perceptibly weaker.' The evil is greatly increased by the confined nature of the civil service itself. It is not large enough to supply the demands for efficient officials which are increasingly made upon it, with the increasing area of our Eastern dominions. Besides which, the magnitude of the population committed to the jurisdiction of one man far exceeds the powers of the most able and experienced official. It is a mockery of government to expect that one man can efficiently discharge the duties arising out of the police and judicial administration of half a million of people.

Frequent changes of Officials.

"There is, however, another evil, and one of great magnitude, to which Mr. Halliday does not refer, but which ought not to have been passed over—I mean, that of the frequent removals from place to place, and from office to office, of the servants of the Company. Scarcely is a man seated in his chair, than he is whisked off to another spot. He is appointed to another district, and often very different kind of labour, of course in all cases obtaining a higher remuneration. Thus in the district of Dacca, the average time of continuance in the magistrate's office has been for the last twenty years not ten months, scarcely a sufficient period to learn the names of the chief towns of the district which the individual is appointed to govern.

"I will take a name or two at random from the Register of Civil Servants and their appointments, just to elucidate the extent of this evil. Here is a well-known name among Indian officials, Lushington—Henry Lushington. He arrived in India the 14th of October, 1821. Up to May 9, 1842, he had filled no less than twenty-one offices—a change every year. But during this time he returned to Europe twice, and was absent from India four years and a quarter. His occupancy of each office therefore averages scarcely *nine* months.

"Thousands of square miles of country, inhabited by millions of people, would have neither justice nor protection, were it not for the illegally assumed power of the planter and zemindar. There are districts in which the magistrate's court is sixty miles away, and in one case I know of a judge having to go 140 miles to try a case of murder, so wide does his jurisdiction extend. This very district contains upwards of two millions of people; yet to govern it there are just two Europeans, and one of these spends a considerable portion of his time in sporting, shooting wild animals, and hunting deer."

There are but 70 European magistrates—1 to 460,000. An old resident in India says, there are three or four cases of a single magistrate to more than a million souls. This is in a country where roads are *very* scarce.

A writer before quoted, says—

"No man in his senses will resort to a court of law in Bengal. The result is only sure to that side which can lie with most assurance, and bribe with the longest purse. What with delay, the inefficiency of the magistrates and judges, the unblushing corruption which prevails from the highest to the lowest official, the civil servant only excepted, justice is the scarcest of all commodities in Bengal. There is no doubt of

it. In every part of Bengal which I have visited, I never met with but one opinion about it. From Burdwan in the north-west, to Chittagong in the far south-east, the testimony of all classes of people is uniform; all agree that the courts of the Company are nests of corruption, perjury, and injustice. I have already spoken of the faultiness of the judicial and police administration. I may be pardoned this continual reference to it. It is truly the spring of by far the larger part of the evils under which the people of Bengal suffer. An unexpected proof of this has just occurred, and the source of it is the highest authority in the country. No man has a more wide and perfect knowledge of Bengal than Mr. Halliday, its able Lieutenant-Governor. In a Minute he has lately recorded he has laid bare the existing system to its core. Well may the editor of *The Friend of India* remark, 'The execution of justice in Bengal depends, therefore, upon men whose first hope is to escape starvation, and their second is to avoid the just expiation of their deeds upon the gallows.' I hope that not a day will be lost by some member of the House of Commons in moving for the production of this remarkable Minute or Report on the judicial administration of Bengal."

Mr. Halliday's Minute.

This most remarkable Minute I am happy to inform the House that I have seen, and I hold in my hand a reprint of it. I must be permitted to read some extracts to the House.

MINUTE BY THE HON'BLE THE LIEUTENANT-GOVERNOR OF BENGAL.

POLICE AND CRIMINAL JUSTICE IN BENGAL.

Police.—For a long series of years complaints have been handed down from administration to administration regarding the badness of the Mofussil police under the Government

of Bengal, and as yet very little has been done to improve it. Such efforts as have occasionally been made for this purpose, have been usually insufficient to meet the greatness of the evil; partial remedies have failed to produce any extensive benefit; and, during long intervals, the Government has appeared to fold its hands in despair, and to attempt nothing new, because the last tried inadequate measure had ended in inevitable disappointment.

3. *Former Measures.*—For what, after all, has been done to improve the police during the last thirty years? We have ceased, it is true, to expect integrity from darogahs with inadequate salaries and large powers, surrounded by temptations, and placed beyond the reach of practical control; and we have somewhat curtailed the excessive and unmanageable extent of our magistrate's jurisdictions by the gradual establishment of thirty-three* sub-division magistrates. But beyond this, and not speaking at present of the special and peculiar machinery lately set up in a few districts for the suppression of dacoity, I know not what else has been attempted; and, even with regard to these two instalments of improvement, the halting, hesitating way in which they have been effected has prevented the full benefit which might otherwise have been expected from them. Before the first of these improvements, our stipendiary police in the Regulation Provinces consisted of some four hundred and eighty-four darogahs or thannadar, scattered at distant intervals over a territory of 150,000 square miles, and a population of 35,000,000 souls—being, say, one darogah or superior police officer to 309 square miles and 72,314 souls. Each of these potent functionaries was paid rupees 25 a month—avowedly less than he could live and move about upon—and each had under him, generally, a mohurir or clerk, and a jemadar or head constable, on salaries

* This is now the number of sub-divisions in the Regulation Provinces.

ranging from rupees 4 to 8 a month each, but with powers equal on most occasions to the darogah himself. Subordinate to these at each thannah was an establishment of from ten to twenty burkundauzes or constables, often deputed with large powers into the interior, and paid, each man, from rupees 3-8 to 4 a month—a salary notoriously inadequate. It was a step in the right direction, doubtless, when the government of Lord Auckland determined thenceforth to pay no darogah less than rupees 50 per mensem, and to allow to one hundred of the number rupees 75, and to fifty of them rupees 100 per mensem. But the good of all this was tarnished by the omission to do anything for the lower grades of police officers. For it was impossible to become a good darogah without an apprenticeship; and when the apprenticeship was to be served in the midst of great power, great temptation, and the traditions of unavoidable corruption in the station of a thannah mohurir on rupees 7 a month, what was to be expected from such a training?—or how, train the darogah as you might, could you expect purity and integrity until you had cleansed away from about him the foul atmosphere of corruption necessarily engendered by the aggregation of ill-paid and unscrupulous underlings with whom bribery and extortion were almost a necessity, and had long been the habit of their lives?

4. *Recent Recommendation.*—I last year submitted to the Government of India an earnest recommendation, founded on Mr. Dampier's propositions, for an increase to the salaries of mohurirs, jemadars, and burkundauzes, by a system of gradation.* And, unless financial difficulties interpose, I cannot

* Full details of the proposed measure, and cogent arguments for its adoption, will be found in Mr. Grey's letter to the Government of India, No. 774, of 30th April, 1855. It was proposed to divide mohurirs into three grades, on rupees 30, 35, and 40 per mensem; jemadars into three grades, on rupees 10, 15, and 20; and of the burkundauzes, one-fourth at rupees 6 per mensem, one-fourth at rupees 5, and the rest on rupees 4. The whole increased cost to be incurred would be rupees 338,609 per annum.

doubt that this measure must ultimately be honoured by the approval of the Governor-General in Council. But if this be not granted, all thought for the improvement of the police will, I fear, be but thought thrown away.

5. *Sub-division Magistracies.*—Beyond all doubt, we shall ever fail to establish a good and trustworthy system of police, unless—together with other improvements—we establish a close, constant, and vigorous control over our police agents, and a ready access to justice for all persons, so that the appeal of the weak against the strong may be at all times possible and effectual.

6. Throughout the length and breadth of this country, the strong prey almost universally upon the weak, and power is but too commonly valued only as it can be turned into money. The native police, therefore, unless it be closely and vigorously superintended by trustworthy officers, is sure to be a scourge to the country in exact proportion to its strength and power. For this indispensable superintendence, no adequate provision has ever yet been made; nor can any provision be considered adequate which does not supply, at least, one capable and trustworthy magistrate for every two, or, at most, every three thannahs. At present, however, our establishments do not comprise more than seventy executive magistrates, covenanted and uncovenanted, over four hundred and eighty-four* thannahs, being at the average rate of about seven-and-a-quarter thannahs to each magistrate — a proportion much below what is requisite; and the distribution of even this number of magistrates is extremely irregular.

7. *Village Chowkeydars.*—Of the vast importance of the rural police, the village chowkeydars, and the strong necessity for fortifying and improving their character and position, there

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* I find this the number of thannahs in the Regulation Provinces in the Appendix to the Circular Orders of the superintendent of police printed in 1854.

has never been but one opinion. Yet, though more than one expedient for this purpose has been devised and discussed, nothing has ever been carried into execution, and it is a lamentable, but unquestionable fact, that the rural police, its position, character, and stability as a public institution, have, in the Lower Provinces, deteriorated during the last twenty years. It is now diminished in number and impaired in efficiency, while its rights have been seriously and successfully attacked and undermined; so that, unless some speedy measures be taken to save it, it is in danger of perishing altogether from the face of the land, and passing out of use, if not out of remembrance.

10. The great difficulty indeed regarding the village police, which has been commented upon by all who have directed their attention to the subject since the beginning of the century, is that they are inadequately and uncertainly paid. They are kept in a permanent state of starvation, and though in former days magistrates battled for them with unwilling zemindars and villagers, and were encouraged by Government to do so, it has been discovered in later times that this is all against the law. Village watchmen are now declared to have no legal right to remuneration for service, and (the help of the magistrate being withdrawn) they have no power to enforce their rights, even if they had any rights to enforce. Hence they are all thieves or robbers, or leagued with thieves and robbers, insomuch that when any one is robbed in a village, it is most probable that the first person suspected will be the village watchman.

12. Yet, miserably impaired as the institution of the village police has become, it is still true that no police can be effective without their help, and that, as stated in the Minute of Lord Hastings, dated 2nd October, 1815, "It is from the chowkeydars that all information of the character of individuals, of the haunts and intentions of robbers, and of everything necessary to forward the objects of police, must ordinarily be obtained; they are the watch and patrol to which the community looks

for its immediate protection, and on the occurrence of a crime, the darogah's only mode of proceeding is to collect the watchmen of all neighbouring villages, and to question them as to all the circumstances, with a view to get from them that information which they only can afford."

13. The village chowkeydars are in short the foundation of all possible police in this country, and upon their renovation, improvement, and stability depends the ultimate success of all our measures for the benefit of the country in the prevention, detection, and punishment of crime. To what a state of corruption, however, this important branch of the police system had fallen, was strongly illustrated by the late Mr. Bethune, in his Minute of the 27th May, 1851, of which the following is an extract:—

"The evidence I have seen of this is now thirteen years old, but the complaints recently made of outrageous dacoities and acts of violence point rather to a deterioration than to an improvement of the practical working of the system since that time. I took the following striking comparison from Speede's Criminal Statistics of Bengal, in which some of the results obtained by the Police Commissioners in 1837, have been digested and arranged in a tabular form. The returns made to Government for the years 1833-4-5-6, show the average number of persons annually convicted for crimes and offences* *of all kinds* in those years to be 31,843, and taking the population of the districts to which these returns apply to have been 38,717,874, as estimated in the magistrates' returns, the proportion is about 1 convict to 1,219 persons.

"The Commissioners of 1837 obtained also a return of chowkeydars dismissed from the police force during the years 1835-6-7, with the causes of dismissal.† *Were they no worse than the rest of the population*, the number of persons among

* Speede's Criminal Statistics, page 149; and page 174.
† Speede's Appendix, page 7.

them guilty of *every kind of offence known to the calendar*, at the rate of 1 in 1,219, would be under 107 annually, or 321 in the three years included in the return. What were the facts? The whole number of chowkeydars dismissed for misbehaviour in those three years, instead of 321, is 1,130.

Of whom for murder and Thuggee . .	19
Burglary	39
Robbery and theft	357
	415

that is to say:—

"Nearly one-fourth more, in proportion to their number, *for these heinous crimes*, than were convicted in all the Lower Provinces of Bengal *for all offences of every kind*."

The whole is summed up by the Commissioners in the following terms:—

"The most urgent necessity exists for a thorough revision throughout the country. The establishment (of village watchmen) is described not only as utterly useless for police purposes, but as a curse instead of a blessing to the community. *It is even a question whether an order issued throughout the country to apprehend and confine them would not do more to put a stop to theft and robbery than any other measure that could be adopted.*"

14. Various plans have been proposed for amending this state of things, and a good deal of paper has been covered with written discussions regarding them, but nothing has ever been done; so that many persons have come to think it a thing impossible to do any good in that direction, and have ceased from all effort accordingly.

18. *Administration of Criminal Justice.*—I am satisfied, however, that it will be vain to improve the agency for the detection and apprehension of criminals, unless we improve also the agency for trying them.

Police reform, in India at least, is a word of large signifi-

cation, and extends to our criminal judicatories as well as to the magistracy and constabulary organisation. At present our criminal judicatories stand in need of much amendment, and unfortunately the method of amending them is a question which admits of much diversity of opinion.

19. They certainly do not command the confidence of the people.

20. That this is the case may, I think, be inferred from many parts of Mr. Dampier's elaborate reports. I have myself made much personal inquiry into this matter during my tours. Whether right or wrong, the general native opinion is certainly that the administration of criminal justice is little better than a lottery, in which, however, the best chances are with the criminals; and I think this also is very much the opinion of the European Mofussil community.

21. No complaint is more common among magistrates and police officers of every grade than that of the disinclination of the people to assist in the apprehension and conviction of criminals. From one end of Bengal to the other the earnest desire and aim of those who have suffered from thieves or dacoits, is to keep the matter secret from the police, or, failing that, so to manage as to make the trial a nullity before the courts. Something of this is due perhaps to the natural apathy of the people, though it cannot fail to be observed on the other hand that where they have any object to gain, the same people show no apathy or unreadiness, but remarkable energy and perseverance, in civil and criminal prosecutions. More no doubt is due to the corruption and extortion of the police, which causes it to be popularly said that dacoity is bad enough, but the subsequent police inquiry very much worse. But after allowing for both these causes, no one, conversant with the people, can have failed to remark how much of their strong unwillingness to prosecute is owing to the deep sense which pervades the public mind of the utter uncertainty of the proceedings of our courts, and the exceeding chances of

escape which our system allows to criminals. Often have I heard natives express, on this point, their inability to understand the principles on which the courts are so constituted or so conducted, as to make it appear in their eyes as if the object were rather to favour the acquittal then to insure the conviction and punishment of offenders; and often have I been assured by them that their anxious desire to avoid appearing as prosecutors arose in a great measure from their belief that prosecution was very likely to end in acquittal, even, as they imagined, in the teeth of the best evidence, while the acquittal of a revengeful and unscrupulous ruffian was known by experience to have repeatedly ended in the most unhappy consequences to his ill-advised and imprudent prosecutor.

22. That this very general opinion is not ill-founded may, I think, be proved from our own records.

23. Appended to this Minute, is a note and certain statistical returns prepared by Mr. Secretary Buckland, from which it may be gathered that for fourteen burglaries committed, only one burglar is punished; and that even in thefts, which are matters of easier detection and punishment, the average proportion of convictions is only of three persons to eight offences.

26. From any sentence passed by a magistrate beyond a fine of rupees 50, or one month's imprisonment, there may be an appeal to the sessions judge, and from every sentence passed by a sessions judge there may be an appeal to the Sudder Court. Of the total 4,000 persons annually committed to the sessions for heinous crimes, it appears that the conviction of 1,735 takes place in the sessions effectually, and of 332 in the referred trials to the Sudder; so that of the whole number committed, very nearly one-half is eventually acquitted.

27. That a very small proportion of heinous offenders are ever brought to trial, is matter of notoriety. It now appears that half of those brought to trial are sure to be acquitted.

Is it to be expected, then, that the people should have confidence in our system, or that they should show any desire to assist the police, knowing as they do from experience the miserable results to be obtained?

28. I must say that this appears to me the weakest point of our whole system, and that which most loudly calls for an effectual remedy. No doubt the badness of the police and the inefficiency of the tribunals act and re-act on each other, and both are concerned in bringing about the deplorable existing consequences. But until the tribunals are reformed, I can see no use in reforming the police, and I think it will be money thrown away to attempt the latter unless we are determined vigorously to insist on the former. We have been hitherto debating about both for many years without much practical effect, and in the meantime, to take only one crime, and only the seven districts round about Government House, we have seen dacoities increase from 82 in 1841, to 524 in 1851! It is true that under a special agency this has since been reduced to 111 in 1855. But the operations of this agency have shown more than anything else the utter inability of our ordinary institutions to cope with the enormous social evil that is ever rising up in defiance before it.

29. *Inexperience of Magistrates.*—Even if our tribunals were all we could wish, and if our police were fully reformed, what would it avail us so long as our superintending magistracy was for the most part in the hands of inexperienced and therefore unqualified young men? Yet this has not only been long the notorious fact, but peculiar and accidental circumstances, partly temporary and partly arising out of the constitution of the civil service, have at this moment made the inexperienced condition of the magistracy more observable than it has ever been before, while it seems certain that the evil during several succeeding years is likely very seriously to increase. I have appended to this paper a note by Mr. Grey on this very

subject.* Those who are conversant with the working of our system are aware that this is (under present rules) an evil that cannot be resisted; while it exists, although certain of our young magistrates often display efficiency and ability beyond their years, yet on the whole our magistracy is losing credit and character, and our administration is growing perceptibly weaker, and yet I grieve to be obliged to affirm that the evil will infallibly increase within the next three years unless an early remedy be applied. Does anybody imagine that while this lasts our Bengal police can be reformed?

30. *Five Measures Proposed.*—It appears to me then that in order to an effectual improvement of the police in the Lower Provinces, the following principal measures are indispensably necessary:—

(1.) The improvement of the character and position of the village chowkeydars or watchmen.

(2.) Adequate salaries, and, I may add, fair prospects of advancement to the stipendiary police.

(3.) The appointment of more experienced officers as covenanted zillah magistrates.

(4.) A considerable increase in the number of the uncovenanted or deputy magistrates.

(5.) An improvement in our criminal courts of justice.

40. We must do our utmost to carry the people with us in our police reforms; at present they will readily admit old

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* The average standing of the magistrates of the 25 districts which have separate magistrates, was in 1850, nine years and eight months. The average standing of the officers now serving as magistrates in the same districts is only six years and ten months.

In 1850, there were only two magistrates below seven years' standing, now there are 15 such.

The youngest officer officiating as a magistrate in 1850, was of five years' standing, the youngest officer now officiating as magistrate is of less than three years' standing.

(Signed) W. Grey,
Secy. to the Govt. of Bengal.

20th April, 1856.

established obligations to maintain village watchmen in a certain customary proportion to the size of each village, and to pay them after a certain usage, which differs somewhat in different villages, but has long been accommodated to old habits and customs in all. They will not, however, regard with favour a distinct and precise taxation for a new police, the application of which they will doubt, and the object of which they will be very likely to misunderstand; and, unfortunately, our knowledge of the people and our intercourse with them, through distantly placed, often inexperienced, and but too frequently changed, Mofussil magistrates, is not sufficiently intimate and cordial to allow as yet of our acquiring their confidence, and thereby their co-operation, in plans for the improvement of their old institution. Hereafter, when we shall have placed trustworthy magistrates in adequate numbers, and in the centre of manageable jurisdictions, I do not doubt that we shall be able gradually to influence the people more effectually than we can now pretend to do, and so to carry them with us as to obtain their intelligent assent, and with it their hearty assistance to all our measures. We must, in short, obtain their confidence in our magistracy and police system before we can hope for their co-operation, and this cannot be expected under our present imperfect organisation.

43. *More experienced Magistrates.*—The third measure on my list relates to the youth and inexperience of the covenanted magistrates. This is a very serious evil, and it is absolutely necessary to remedy it. It arises out of the numerical inadequacy of the covenanted service to supply the number of offices required by the existing system. It has been a matter of reproach to the service for many years, but it has very much increased of late, owing to the growing disproportion of men to offices. It has, in a manner painfully perceptible to me in my visits to the different districts, impaired the force, dignity, and efficiency of our administration in the interior; and in all

cases in which the youth and inexperience of the officer is not, as it sometimes is, counterbalanced by unusual ability and force of character, it has brought the all-important authority of the zillah magistracy into marked slight and disregard, and sometimes into actual contempt. It is certain still more to increase under the present system, and no addition to the number of the service can remedy it for many years to come.

The nature of the duties and responsibilities of collectors' offices requires that they should be held by officers of a certain standing and experience; but the actual work of those offices has become, with a few exceptions, so notoriously light, that full leisure is left for the efficient performance of a magistrate's business; and there is undoubtedly nothing in the nature of the two duties in these provinces, where the collection of the Government revenue is almost mechanical, and the interference of the collector in the realisation of the zemindar's rent from his tenants is purely judicial, to make them in the smallest degree incompatible. To re-unite them, therefore, is now the mere dictate of prudence. It will at once place the superintending magistracy of each district in experienced hands, will economise labour, will remove a standing reproach against the Government, and will restore to the Mofussil administration that strength and weight which the present youth and inexperience of our "boy magistrates" have very sensibly and seriously impaired. This measure was proposed by Lord Dalhousie in 1854, and the reasons in its favour which then existed have been greatly enhanced by the occurrences of the past two years. I earnestly trust that the advantages which it offers, and which are enjoyed by all other parts of India, including all our recent acquisitions, will no longer be denied to Bengal, where, in fact, they are most urgently needed, and where the theoretical objections to the system, weak as I believe them to be everywhere else, have literally no kind of practical application.

By those who object to this, in my judgment, most useful

and necessary measure, two methods have been proposed of remedying the great present evil, which nobody denies, of the youth and inexperience of the magistrates. One is to make the magistrates and collectors, as it were, change places; to let the young and inexperienced officers become, after their present brief training, collectors on the present salaries of magistrates, and to let them thence rise to the office of magistrate, receiving in that office the salary now given to collectors.

This would merely transfer a disease from one part of the administration to another part, and cure the defect in the magistracy at the expense of the efficiency of the revenue department. The revenue department, not less than the magistracy, requires maturity of standing and experience, and the Government, as well as the people, would suffer if the office of collector were placed generally in young, inexpert, and unpractised hands.

45. If this were done, the step to which the junior now rises from his first and insufficient training, instead of being as now that of a magistrate in full charge of a district as large as three counties, would be, with perhaps the same or nearly the same pecuniary advantages, the more suitable position of a deputy or subordinate to the experienced collector magistrate, and the Zillah magistracies, instead of being in the hands of youngsters of three, and perhaps even less than three, years' standing, would not be attained to under a standing of at least ten years, and probably much more.*

46. *Increase of Deputy Magistrates.*—The next necessary measure is an increase to the magistracy, and this can only be by an increase to the number of uncovenanted deputy magistrates.

47. It is vain to talk of police reform so long as the police are under no closer superintendence than that of a magistrate from 30 to 60 miles off (or even more), in a country where, owing

* Our present junior collector is of eleven years' standing, and this is at a time of unusually rapid promotion.

to the nature of the climate and the want of means of communication, a distance of 10 miles is often more than equivalent to 50 miles in England. I will not here parade any statistical facts. Every one acquainted with the country knows how few and far between are our magistrates in the interior, as compared with even the worst organised country in Europe, and every one admits that one of the first steps towards improvement must be to have magistrates at such tolerably convenient distances, that each functionary shall not be at all events more than a few hours' journey from the most distant village in his jurisdiction.

The additional establishments, allowing for some reduction in the present Zillah magistrates' establishment, would certainly bring the expense up to five lacs and a half per annum, or say, with some additional Thannahs, six lacs. For this amount, however, I think this very desirable, not to say necessary reform, might be made. And even then, and after adding the amount of rupees 3,38,609, required to render adequate the pay of Mohurirs, Jemadars, and Burkundauzes,* which would raise the total additional annual expense to rupees 8,88,609, or say, after allowing for all defects of the estimate, ten lacs of rupees, the police charges of Bengal would still be only a little more than the police charges of the North-Western Provinces.† And it must be by no means left out of sight, that the diminution of expenditure at present, in consequence of the diminished numbers of junior civil servants, as compared with the year 1850, is more than a lac and a half of rupees ;‡ and as it is in a great measure owing to this diminution, that an addition is required to the uncovenanted magis-

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* See para. 4 of this Minute.

† Provincial Police charges, 1851-52, Bengal, rupees 10,31,386. N.W. P., rupees 16,97,607. See para. 15 of Mr. Secretary Grey's letter to the Government of India, No. 2137, of 30th September, 1855.

‡ The actual difference is rupees 1,54,440.

trates, it is reasonable to set off a large part of this lac and a half, say at least a lac, against the additional charge now asked for, thus reducing the total to a maximum of nine lacs per annum.

79. *Roads.*—I have now recapitulated the five chief improvements which seem to me to be required to place the police of Bengal on a footing of reasonable promise, from which it may gradually advance to a better and still better condition. There is, however, yet another measure which can hardly be omitted in this place, and which may seem of itself almost as important as any of the foregoing. I allude to a measure for the establishment of sufficient means of communication with the interior of districts. It cannot, indeed, be necessary to dwell on the importance of roads and communications to the well-doing of any police system. No system can work well while our police stations and our large towns and marts in the interior are cut off from the chief Zillah stations and from one another by the almost entire absence of roads, or even (during a large part of the year) of the smallest bridle-roads or foot-paths. It may be impossible, in the present state of our resources, to make all over our Zillahs such roads as are fit at all times for wheeled carriages; but where better and broader roads cannot be made, it ought to be an indispensable part of our system to have from the chief Zillah station to all police stations in the interior, and from each police station to the neighbouring stations, at least a raised and bridged foot or bridle-path, so that a man, a horse, a bullock, an elephant, or a palankeen should at all times of the year be able uninterruptedly to pass and repass. There are but few of our Zillahs where this might not be done at a comparatively small expense, if the land were available; and of so much public import is it to have land available for such a purpose, that I should not think it unjust to propose a law, making it binding on all zemindars, and other proprietors of land, to give up sufficient lands for the purpose, free of all cost to the State, except of

any standing crops or agricultural produce. In most parts of Bengal the zemindars would do this willingly without any law, and the benefit to the surrounding lands would be of itself sufficient to over-pay the value of the land given.

80. By so digging the earth for the road as to form a small canal, a means of water communication in the rains might be secured, which would be of the highest value to agriculture and commerce, and which would easily bear a light toll, sufficient to pay for the repair (at least) of the road and the canal.

81. I think that the construction and repair of such roads ought to be an essential duty of each magistrate and division magistrate; that the expense should be estimated and passed once a year, separate from all other public works, and should be considered and calculated on as one of the charges of the police. Such a system, fairly established, and energetically kept up, would, by facilitating the movements of magistrates, of police officers, of despatches, of complainants, and of witnesses, do as much for the improvement of the police as any measure that could be devised, and without it I doubt if any measures could be fully successful.

But, Sir, clear and decided as is Mr. Halliday's testimony, we have no evidence that even his testimony is not considered exaggerated by the Supreme Council of India, which consists of only five members besides the Governor-General himself; for the Minute of Mr. Halliday, sent in to the Council, is dated 30th April, 1856, and yet in October of the same year we find Mr. Dorin writing to the Court of Directors in answer to the Memorialists, in language in direct opposition to Mr. Halliday's Minute; and in the same paper which has been laid on the table of this House,

I am still more surprised to find some of the statements of Mr. Grant, because he does in *very important* points declare his *agreement* with the missionaries.*

Now, Sir, Mr. Dorin and Mr. Grant are *the two civil* members of the Supreme Council, appointed by the Government; while Mr. Halliday is neither in the Supreme nor in the Legislative Council.

Whole subject demands investigation.

I think this House must be convinced, from the statements I have just brought before them, that the whole subject demands a thorough investigation; not an investigation that is to stop any measure now in progress for the amelioration of these evils; not an investigation which is to array class against class, and promote discord; but a calm, patient, investigation, such as English gentlemen are capable of making, and the result of which ought to be submitted to this House. If I am asked what object would be attained by inquiring into facts which are admitted to a great extent (to say the least) by the authorities in Bengal, I would say there are three objects to be attained by a public inquiry.

Object of inquiry.

1st object.

1st. That it would put all men (who care to know) into possession of the facts which some men only now know. Does the Governor-General know them? Does this House know them? I am tempted to add, Do the Court of Directors know them?

2nd object.

2ndly. That it would put the stamp of the Government of India, the stamp of authority, on the authenticity of the facts, so that it would be impossible to

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* See Appendix.

have official denials of those facts from interested parties, either in India or at home.

And 3rdly, and lastly, that the knowledge of the publicity given to the existence of the evils, must in the nature of things quicken the activity both of the Supreme and the Legislative Councils of India, to devise and to push forward measures of fundamental reform, so that we should have no more such answers as Mr. Dorin's to the petitions of missionaries; and, on the other hand, that we should cease to have obstructions put in the way of such measures as the one lately introduced into the Legislative Council, by Mr. Grant, on the sale of land for arrears, as I understand from a letter I received from Calcutta, only last week, is now the case. And (to refer to another most important subject), we should perhaps cease to hear of such a fact as this, that when the Indian authorities were themselves desirous of putting down the cruel swinging festivals in Bengal, as *has been done* in Madras and Bombay, they were prevented doing so by a despatch from the Court of Directors at home. Nothing, I think, can give a better illustration of the importance of such a public and special inquiry, than what has just occurred with reference to the pauper lunatics in Scotland.

3rd object.

Mr. Grant's Bill.

Swinging Festivals.

Sir,—I say that this House is responsible in this matter, and we have a right to know whose statement is correct, the missionaries, who say that there is wide-spread disaffection as the consequence of misrule; or the Government authorities, who deny the statement. There is a higher power than all the authorities

in India, and than the Court of Directors at home, and that is the Ministers of the Crown, and those Ministers are responsible Ministers. And if we would hold up our heads among the nations as the defenders of right and justice, we must see that our own rule in India is just and pure. What avails our representations to Turkey, our indignation at the corrupt officials there, for not carrying out the more enlightened views of the Sultan, if we allow the native officials in India to take bribes, to oppress, to defraud, and for the sake of a miserable economy, give such a small staff of efficient magistrates that they cannot, if they would, control their subordinates. Let us wipe our own hands of guilt. I said, Sir, miserable economy. And why did I say so? Why, but because I believe that one great cause of misgovernment in India is, that for a long time it was governed not so much for the good of the people, as to enrich ourselves. And even now, Mr. Grant and Mr. Halliday agree that the reform of the police is a mere question of money.

Ministers of Crown responsible.

I feel confident that my Right Honourable friend, the President of the Board of Control, desires to do justice to the people of India, and I cannot doubt that the noble lord at the head of the Government, would be more than willing to promote the welfare of all the subjects of the British Crown, whether black or white; and what can I wish better for him, than that he who has been the tried friend of the African black, the supporter all over the world of liberty and humanity, against oppression and misrule; who stopped diplo-

matic intercourse with a European ruler, because he used his authority to oppress his subjects; that he should be known also as the maintainer of the rights of the millions of Hindustan. If my Right Honourable friend answers in reply to what I have said, that measures of reform are in progress, then I claim his support for my second Resolution, which requests that a statement of those measures may be sent home, and laid on the table of the House.

And if any one demurs to the truth of my statements, I can only see in this a fresh reason for inquiry, as we cannot both be right. If I am right, then I have asked the very least that can be asked. I have purposely abstained from asking for a Royal Commission to be sent out from England, lest it should weaken the hands of the Indian authorities in the eyes of the natives, who do not understand constitutional Government; but I cannot believe, that any evils that could result from an inquiry instituted by the Indian Goverment, for the sake of giving us the information we want, would at all counterbalance the advantages that would result from it. During the siege of Sebastopol, who were right in their statements of wants and necessaries, the private or the public authorities?

Sir, I consider that the present Government of India is on its trial. Four years have passed away since it assumed its present form, and nothing to alleviate these evils has been done for Bengal, whatever has been talked about.

The north-west provinces may be enjoying a good system of government. The Punjab, thanks to that distinguished nobleman who so ably presided for many years over the Government of India, may be under a still more perfect system, but what is this to the 35 millions of Bengal? Sir, it is for them I plead. I fully recognise the importance of many things that have been done, such as abolishing the Government connection with idolatry, destroying sutteeism, infanticide, thuggism, human sacrifices; introducing a system of education for the people; and more recently the legal recognition of the marriage of widows; but again I say, this does not alter the fact of the miserable social condition of the inhabitants of Bengal.

I have not consciously overstated one fact, and I surely shall not appeal in vain to those who acknowledge the supreme authority of Him who says "Thou shalt not wrest judgment; thou shalt not respect persons, neither take a gift. That which is altogether just shall thou follow."

I beg to move—

1*st Resolution.*—"That, from representations made to this House, there is reason to believe that the present administration of the Lower Provinces of Bengal does not secure to the population the advantages of good government, but that the mass of the people suffer grievous oppression from the police, and the want of proper administration of justice."

2*nd Resolution.*—"That, in the opinion of this House, it is

desirable that Her Majesty's Government should take immediate steps with a view to the institution of special inquiries into the social condition of the people; and to ascertain what measures have been adopted in consequence of the oppression under which a large proportion of the inhabitants of the Lower Provinces are now said to be suffering, more especially with reference to the system of landed tenures, the state of the police, and the administration of justice; and also that such report be laid upon the table of the House."

[*Note.*—Since this Pamphlet was in the press, I regret that the sad tidings from India too truly confirm the Missionaries' statement of the existence of disaffection. And, in a private letter just received from Calcutta, these observations occur:—"In the Minutes published on Sir E. Perry's motion, on the Missionaries' Memorial for Inquiry, you will have noticed the confidence with which the warnings about disaffection were disregarded as altogether needless and groundless. This present event may show who is most likely to be right. All was said to be peace in Affghanistan till the rising in Cabul."]

APPENDIX.

It is supposed by some that the existence of Mr. Halliday's Minute of April 1856 is a proof that the Government authorities are sufficiently alive to the miserable condition of Bengal. And it was even said, as a reply to my speech, that I relied on public testimony for my facts; whereas I only relied upon it as a confirmation of private testimony; and even with respect to the Minute of Mr. Halliday, the House of Commons is indebted to me for their knowledge of it; as, though extracts from it were moved for by Sir Erskine Perry, they were not given, on the ground that it had not reached the India House or the Board of Control. A comparison, however, of that Minute with a later Minute in answer to the Memorial of the Missionaries, which has been laid on the table of the House, and which was dated September 1856, seems to give some clue both to the neglect of Mr. Halliday's suppressed Minute, and to the unaccountable slowness of the authorities in India in providing remedies for known evils. Such delay appears to me the more inexcusable, as Mr. Halliday has himself, in the Minute of April 1856, not only pointed out the evils of the police and judicial systems, but suggested the remedies.

Mr. Halliday.

Let it be borne in mind that Mr. Halliday is not the Government, but the servant of the Government; and till he can persuade the Government to move, his hands are tied. But as his Minute was publicly recognised in the late debate as an authority, its existence when it shall be laid before

us, substantially obtains what I sought in my late motion for inquiry, as far as the police and judicial systems are concerned. For, 1st. It brings the facts before the eye of the public. 2ndly. It stamps those facts as authentic, with the seal of Government authority. And, 3dly, In conjunction with the late debate, which has given it publicity, it is calculated to urge on the Government to measures of reform. In this point of view I have gained the object of my motion, though the House declined to give a decided opinion upon the subject. All that is needed now is an equally lucid report on the Zemindaree system, and I have little doubt that the Lieutenant-Governor would have most valuable suggestions to make upon it if he had any hope of getting them carried out or seriously entertained, and that it could be vastly ameliorated; and that some measures such as the redemption of the Land Tax could be devised to improve the country without breaking faith as to the Permanent Settlement. But I much fear that the real difficulties will be found in the Supreme Council of India. Mr. Halliday was appointed Lieutenant-Governor of Bengal in 1854, and, we find in the note of his secretary, Mr. Grey, dated April 1856, appended to his first Minute, that he called the attention of the Supreme Government, as early as October 1854, to a proposed measure of police reform, suggested by Lord Dalhousie; but his proposal was objected to and refused: and when again he mooted the question in February 1855, apparently no answer was even returned to him. In September 1855, he again brought forward the subject, and again received no reply! A fourth proposal on the same subject was accepted, probably because it was recommended *as a measure of economy.** To say the least, this neglect on the

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* *Extract from Note by* MR. SECRETARY GREY.

"After being talked about for some years, the proposition to re-unite the offices of Magistrate and Collector was at length formerly made by Lord Dal-

part of the Supreme Council of the Lieutenant-Governor's suggestions, even when backed by Lord Dalhousie's opinion, does not seem very propitious for reforms, particularly those

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housie in April 1854. The proposition was submitted to the Government of India, and no notice of it being taken for some months, the Lieutenant-Governor, in October of the same year, called the attention of the Supreme Government to the subject, and solicited permission to take advantage of then expected vacancies to re-unite the office of Magistrate and Collector in some four or five Districts which were named.

"This request was, however, refused in January 1855, and a Minute of the Honourable Mr. Grant's was sent for the Lieutenant-Governor's perusal, in which Lord Dalhousie's proposition was strongly objected to. The Lieutenant-Governor communicated his views upon the question to the Supreme Government in February 1855, and since that date nothing more has been heard on the matter from the Supreme Government.

"The subject has, however, intermediately been twice brought incidentally to the notice of the Supreme Government. In September last the Lieutenant-Governor, in applying for an increase to the Uncovenanted Executive Service, took occasion to observe that such assistance, though greatly needed, would not cure one great evil of the present condition of the service, namely, the evil of advancing very young officers to appointments of responsibility and importance.

"This evil, it was remarked, could only be cured by one of three measures, one of which was the re-uniting of the offices of Magistrate and Collector.

"No reply to this communication has been received.

"The second occasion on which the subject of placing the Chief Magisterial and Chief Revenue control in a District in the same hands, was brought under the notice of the Supreme Government, was in the instance of the districts of Bhaugulpore and Beerbhoom, when a portion of the Magisterial jurisdiction of each of those districts was taken, after the Sontal insurrection, to form a Non-Regulation Province. It was then recommended by the Lieutenant-Governor, *as a measure of economy*, that the separate magistracies of Bhaugulpore and Beerbhoom should be abolished, and that the Collectors of those districts should be made also Magistrates; to this proposition the Supreme Government at once assented.

"With the above exception, the Magistrate-Collector question has not apparently advanced since Lord Dalhousie made his proposition two years ago.

"My object in bringing the subject now briefly to the notice of the Lieutenant-Governor, is to beg his attention to a Comparative Statement which I have prepared, showing the standing of the Magistrates in Bengal, that is to say of the Officers actually officiating as such at three different periods, namely in April 1850, April 1854, (the date of Lord Dalhousie's proposition,) and April 1856.

"This statement will be found, I think, to show an urgent need of *some* means being adopted to procure greater experience in the Magistrate's office than is now obtained."

(Signed) W. GREY,

20th April, 1856. *Secy. to the Govt. of Bengal.*

involving increased expenditure. We now come to April 1856, when that most extraordinary Minute of Mr. Halliday's, describing in fact the condition of Bengal when he assumed the Government, was sent in to the Supreme Council. One should at least have supposed that such a document, coming from such an authority, and on such a subject, would have commanded immediate attention. But what do we find? That up to the time of the debate in the House of Commons, the Supreme Council had not even thought it worth while to send it home to the Court of Directors. The present Governor-General, Lord Canning, having only reached India a few weeks before this Minute was sent in to the Council, was perhaps scarcely aware how important a document had been placed on the shelf of the council chamber. I say emphatically placed on the shelf, for how otherwise is it possible to account for the letter of Mr. Dorin, sent home to the Court of Directors? and even for some of Mr. Grant's opinions on the subject of the Missionaries' Memorial?

Missionaries' Memorial.

I now come to the consideration of the circumstances of this Memorial. It was presented to Mr. Halliday, in September 1856, and it asked for inquiry into the whole social condition of Bengal. Had the Memorialists taken Mr. Halliday's own Minute, they would have found in it alone, I think, a justification of the strongest assertions in their Memorial. Why Mr. Halliday so strongly objected to it, and thought the evils exaggerated, I cannot say, unless he felt aggrieved at the slowness of the Council in commencing reforms, and wished to insinuate that he had inquired enough. One passage in his second Minute gives countenance to this idea, where he says—

"The time present is, as regards those things, not the time for investigation but for action, and anything that is likely to delay action on those points will impede the very consummation which the Memorialists so greatly desire. Nothing would so surely, or so long, delay the completion of the necessary improvemements in the

police and in the judicial system, as a commission for a new inquiry into those subjects, and, *on that ground alone, further inquiry is to be deprecated.*"

The Governor-General not having had experience, as he said, could only generally declare his agreement with Mr. Halliday, and his respect for the missionaries themselves. Of course he must have relied very much on the opinions of the civil members of his Council, Mr. Dorin and Mr. Grant, in refusing the missionaries' petition for inquiry. It seems, therefore, of the highest importance to ascertain what hope we may entertain for Bengal from their recorded opinions.

Mr. Dorin thus writes on the 10th of October—

Mr. Dorin.

"I agree entirely in the view taken of this Memorial by the Honourable the Lieutenant-Governor of Bengal.

"There can be little question of the unsatisfactory condition of the rural population of the districts of Bengal Proper; *but whether this state of things arises from defects which the Government can remedy*, or is engendered by physical causes over which the Government can exercise no control, *may be open to very grave doubt.*

"In respect to such sources of social disorder as would admit of action being taken on them, I believe the Government are in possession of sufficient information to enable them to proceed with *reasonable promptitude and decision*: upon other heads of inquiry suggested by the reverend missionaries, no information, however extensive, would justify the Government in taking any action whatever.

"The jarring of class interests will assuredly not assist the progress of social organization, nor am I altogether sanguine that the amendment of the law, or the improvement of the police, or the still more potent engine of the spread of education, will very materially eradicate the evils of which the Memoralists complained.

"I believe those evils to arise in a great degree from *the physical structure of* the people, and *that nature and climate* have at least as much to do with them as any defect in the civil administration of the country.

"The civil and criminal law is essentially the same *in the North-western provinces as in Bengal, and the state of the police is little better in the Upper Provinces than in the Lower;* so that, if the faultiness of the law, or of the police, were the cause of the social evils experienced by one portion of the population, they might be regarded as producing similar results on the other. No one avers that this is the case, or that the condition of the peasantry of the north-western provinces is so debased as that of Bengal.

"And, for one reason, why? because they are men. They are a fine manly race, replete with physical courage, who will not submit to be pillaged by every privileged, or unprivileged, plunderer; men who will stand up for their own rights, and defend their property as soon as they have acquired it. But will a Bengallee do this? Will he lift a finger in defence of either life or property, or is there a particle of physical or moral courage in his composition? I cannot say that I have ever heard of it.

"I believe there is not a more timid human being than a Bengallee on the face of the earth, and we have had only too palpable proof of it on recent occasions."

I suppose Mr. Dorin would admit that the Dacoits, themselves Bengallees, will occasionally lift up a finger. But I have a more serious objection to make to this extract: to say the least, it argues the most extraordinary ignorance in a member of the Supreme Council. Mr. Halliday had in April asserted two things with respect to the police; first, that the expenditure of £100,000 a year more on the magistracy and police of Bengal, was a necessary measure of reform; and secondly, that nearly that amount is spent annually in the North-west provinces more than is spent in the Lower.* In other words, the police of the North-west provinces are well paid, while the police of the Lower provinces are ill paid, or not paid at all; and yet Mr. Dorin argues that the social evils of Bengal cannot

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* *See* page 41.

be attributed to the faultiness of the police, otherwise the same evils would exist in the North-west provinces.

Mr. Dorin further says—

"What can be done for such people as these, who will do nothing for themselves? What Government interference can supply that foundation of moral improvement, that self-reliance which nature itself seems to have denied? It is almost a law of nature that cowards should be either slaves or tyrants, and I fear this describes but too truly the general condition of the population of this fertile province. It may be that the zemindaree system has failed in practice; yet it was not necessarily a bad system, nor was it founded on unstatesmanlike principles. Its object was to create a substantial intermediate interest in the community, a landed aristocracy, from which the genial flow of social influences might reasonably have been expected; and, if it has failed in producing this effect, the fault is more with the unsuitable materials on which it operated, than in the principle of the measure itself. English and Bengallee nature are not alike, and it has not followed that the theory of a system which might be abundantly adapted to the constitution of England was equally applicable to the atmosphere of Bengal. The Memorialists should not blame the system so much as the people; and, in like manner, where they descant, as they do most justly, on the iniquities of the police, they should remember that the police of England is not perfect, and that if the police are expected to protect the people, it is at least equally required that the people shall help the police; and, what is more to the purpose, that the people shall, to a very great extent, have reasonable reliance on themselves. *Mr. Dorin.*

"The crime of dacoity is frightfully prevalent, yet is it possible to suppose it could be so extensive if the people could be persuaded to do anything in their own defence? Dacoits are as little disposed to face danger needlessly as any other class of the community, and vigorous resistance would soon extirpate the system; but where is this found? The very timidity of the people is an inducement to the crime, and yet it cannot be expected that there should be a policeman in every man's house. The extortion of the police is

notorious; yet, if men will submit to extortion in silence, how is the remedy to be provided? The omlah of the courts of law are accused of being corrupt; yet, if suitors will favour the corruption, how is justice to be pure? No doubt the police is capable of vast improvement, and a Sikh police has recently been organised for the Sonthal pergunnahs, in despair of finding a Bengallee policeman who was fit to be trusted; yet, unless the people are prepared to make some exertion for themselves, I do not see how a well-ordered police, or an amended code and administration of the law, can effect very much in diminution of social evils."

Mr. Halliday. Yet Mr. Halliday had told the Supreme Council in his Minute, that the village police are all thieves and robbers, or all leagued with them; that it was popularly said that dacoity is bad enough, but the subsequent police inquiry very much worse;* and that "*the omlah are for the most part paid at a rate that almost necessitates corruption.*"—Minute, Sect. 84. And who are the suitors that favour the corruption? Why, the zemindars who oppress the ryots.

Mr. Dorin's opinion seems to be, that the more a people need the protection of Government, the less they ought to expect to find it; and it never seems to have crossed his mind that the institutions under which the Bengallees live, may have helped to form their nature. On one point, I do most sincerely agree with Mr. Dorin, namely, that English and Bengallee natures are not alike. Were we subjected to such a state of administration as Mr. Halliday describes for six months, I think there would be a rising from the Cheviot Hills to the Land's End. As it is, I believe that there is an insurrection in one part of Bengal or another, annually; but it is treated as a savage demonstration, and put down by force. Mr. Dorin adds—

"I do not say all this in order to argue that any amelioration of

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* *See* pp. 31—35.

the social evils which beset the population of Bengal is impossible, but to show that, in my opinion, there are natural and physical difficulties in the way of improvement, the remedy also of which is beyond the reach of any Government, or of any inquiry that could be pushed to the fullest extent desired by the most enthusiastic philanthropist."

I certainly cannot be surprised at the regret expressed by Lord John Russell in the course of the debate, that Mr. Dorin should be in the Supreme Council at all.

If we turn to Mr. Grant's Minute, we have the satisfaction of finding this important admission—

Mr. Grant.

"The Memorial of the Missionaries, transcribing and adopting a previous petition to Parliament, mentions the following as evils existing in Bengal, 'which it falls properly within the scope of Government to meet and control,' and which they say 'appear to be on the increase:'—

"(1) Insecurity of life and property in many districts.

"(2) Numerous gang robberies perpetrated annually with impunity.

"(3) Constant scenes of violence, in contentions respecting disputed boundaries between the owners of landed estates.

"The Memorialists maintain that the radical cause of these evils is the inefficiency of the police and of the judicial system; that a well-organised police, with a more extensive and more effective judicial system (besides giving the required security to life and property), would do much to check the outrages that arise out of disputes about land; and, moreover, that in order to a cure of this last evil, the cause which leads to disputes about land, namely, the insecurity of title and possession, must be removed by, first, the complete survey of the land; secondly, a system of registration; and thirdly, 'laws to obviate the infinite mischief of the universal system of secret trusts.'

"Upon this important head, I beg to record my complete con-

currence with the Memorialists, both as to the existence and extent of the evils, and the nature of the remedies.

"For many years past I have never lost an opportunity of pressing upon the highest authorities the injustice with which Bengal is treated in regard to the expenditure allowed to her for police. This is no question of system; it is purely a money question. Without a very large additional expenditure, nothing can be done; with twelve or fifteen lacs a year to give, the money could hardly be misspent. We have reason to believe that the days of this crying evil are numbered."

We may notice here how entirely Mr. Grant agrees with Mr. Halliday in thinking that the Bengal police are inadequately paid, differing therefore from Mr. Dorin. But while this whole statement is encouraging, we have, on the opposite side, to place the following remarks, nearly at the commencement of his Minute, in explanation of his opposing the Memorial for inquiry.

Mr. Grant. "All that remains in the Memorial of substantially disputable matter, are the assertion that bitter hatred of their rulers is now in course of being engendered in the minds of the Bengal ryots; and the severe and unqualified charges made by the Memorialists, as a class, against the class of zemindars universally.

"I do not suppose that many besides the Memorialists share in their belief upon the first point; and if the fact were as they believe, such a commission to prove it, as they propose, would be too dangerous an experiment to try.

"I do not mean to make light of this belief: I could make light of no belief entertained in a quarter entitled to so much respect on a question of such importance. I am sure that this assertion would not have been thus formally made on what were not thought strong grounds. But there is a great inconsistency, to my understanding, between this assertion and other assertions made with equal confidence in the same Memorial. The alleged feeling is imputed to the extreme and peculiar social evils to which the ryot of Bengal is said to be subject; and all the evils of which

the ryot can be conscious are traced by the Memorialists, if I understand them, to extortions, and tyranny, and general misconduct of the zemindars, and to the immediate consequences of the zemindaree system, inadequately checked as it is by the police and judicial system provided by the rulers. Now our police is, I dare say, not very much better than it was, but there is no reason to imagine that it is worse. The increase in the pay of police darogahs has done undeniable good, to a certain extent. In other respects our judicial system is vastly better than it was; and the improvement has been all in the direction of the ryot, by bringing justice (though still much too far from him) much nearer to him than it was. Of late years magisterial officers have been largely increased in number, and more dispersed over the country than formerly. Moonsiff's courts, the courts of the ryot, as effective courts of civil justice, may be said to be the creation of the last 30 years; and their improvement in quality, year by year, is unquestioned. Of late, then, the checks provided by the rulers have been vastly improved upon the whole, and, so far as the rulers are concerned, in appearance, as well as in reality, there has been in this generation much to soothe, nothing to irritate, and most certainly nothing to engender the bitter hatred attributed to the ryot. The zemindars, therefore, and the zemindaree system, according to the Memorialists, are the cause of all. To them, the Memorialists allege, are due the alleged social evils, which evils are alleged to be now engendering bitter hatred of their rulers in the breasts of the Bengal ryots of the present day. Now this string of allegations would all be consistent enough, if the zemindaree system were a novelty. But how stands the fact? Be that system good or bad, it is no novelty; it is not even a creation of the British Government. We found the system, and the zemindars themselves, in full force. We have left the zemindars but the shadow of the power they then had; in many respects we have left them not even the shadow of it. For such power as is left them, I can think of no personal interest they can have had then in using it well, that they have not in an equal or greater degree now; and certainly they have more to fear in using it ill now than they had then. How is it, then, that if social evils really exist to such an

extreme degree as to embitter the ryot's spirit, and if zemindars and the zemindaree system are the immediate causes of those evils, this bitterness is only now beginning to be engendered, a generation or two after the assumed enemy has been, to say the least, partially bound down? Why did it not begin to arise in the ryot's breast whilst the zemindar, with no better disposition and many fewer responsibilities, had 20 times his present power for evil?

"As, in my judgment, all these suppositions, namely, the extreme degree of the evils, their cause and their effect, cannot be true, and one is no more credible than the other, I can see no reason for adopting any. To me they have all much more the appearance of having been entertained as consequences of different theories, than as the results of wary and unprejudiced observation."

It is remarkable that Mr. Halliday, in his Minute, distinctly states that for 20 years past the police *have* deteriorated, and that the magistracy is losing credit and character, and the administration growing perceptibly weaker;* and in one passage, in the 43rd section of his Minute, he uses these words—

Mr. Halliday. "The youth and inexperience of the covenanted magistrates has been a matter of reproach to the service for many years, but it has very much increased of late, owing to the growing disproportion of men to offices. It has, in a manner painfully perceptible to me in my visits to the different districts, impaired the force, dignity, and efficiency of our administration in the interior; and in all cases in which the youth and inexperience of the officer is not, as it sometimes is, counterbalanced by unusual ability and force of character, it has brought the all-important authority of the Zillah magistracy into marked slight and regard, and sometimes into actual contempt. It is certain still more to increase under the present system . . . from 1793 to 1830 . . . . . the magistrate was the officer most experienced and highest in rank in the district; and he was therefore looked up to with a degree of respect, the recollection of which to those who, like myself, have known 'the Mofussil'

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* *See* pp. 31, 36, 37.

(country) in those old days, suggests a painful contrast with the uninfluential and comparatively insignificant position of the juvenile functionaries, many of whom I have found ineffectually presiding over the Zillah magistracies in my recent tours."

We find then that Mr. Grant and Mr. Halliday are at variance in their opinions; and as the former has, I understand, been very little in the Mofussil at all, I must believe that Mr. Halliday's opinion is the correct one, and regret that Mr. Grant so differs with him: and herein may be seen perhaps one of the causes in operation to retard reforms. Then again, we did not find the *present* zemindaree system in operation. Those two regulations also, the 7th and the 5th, which are the terror of the ryots, were passed in 1799 and 1812, under our administration.

With regard to Mr. Peacock, the legislative member of the Council, we can get no light from him on the question at all.

I now turn therefore to the answer from the Court of Directors, in approval of the refusal of a commission of inquiry; and in that answer I see that the Court agree with Mr. Dorin and Mr. Grant in some of the statements I have adverted to. The Directors thus write—

Court of Directors.

"It needs no commission of inquiry to inform us that the peasantry of Bengal are subjected, by their landlords, to arbitrary and illegal demands, on religious and other occasions, beyond, and independent of, the sums which they pay as rent. The demand and payment are made in a way which does not admit of the interference of the police; but the courts of justice would deal with all such levies of money as extortionate exactions. To the courts, however, the people do not appeal for protection in such cases. They submit to the demands, either because they consider them as having the sanction of prescription, or because, *as shown by Mr. Dorin, they are too timid to resist payment. The Memorialists seem not to be aware of the difficulty of forcing protection upon a*

people beyond the point at which they are prepared to accept it, and to lend their own aid in securing it.

"We observe with great satisfaction that the Lieutenant-Governor expresses his 'absolute dissent from the statement made, doubtless in perfect good faith, that the people exhibit a spirit of sullen discontent, on account of the miseries ascribed to them: and that there exists among them that bitter hatred to the Government which has filled the Memorialists, as they declare, with alarm as well as sorrow.' Much, as already shewn, has been done to remedy the evils to which the Memorialists advert, and to inspire confidence in the Government. 'Much,' as observed by Mr. Grant, 'to soothe, nothing to irritate, and most certainly nothing to engender the bitter hatred attributed to the ryot.'"

In other words, the Court of Directors are astonished that defenceless sheep will not accept the protection of the savage wolf.

It seems perfectly clear that the Directors had not seen Mr. Halliday's Minute, or that if they had seen it, they had not attended to it, and that I was not very far wrong when I asked, Do the Court of Directors know the evils?

Only one other point I need advert to in the answer from the Court, where they say—

Court of Directors.

"Measures for the reform of the police are now under the consideration of the Government; codes of procedure, to simplify and facilitate the administration of justice, both civil and criminal, are before the Legislative Council; measures specially directed to the suppression of gang robbery have, for some time, been in active operation in those districts of Bengal in which that crime has most extensively prevailed. Of the endeavours of the Government, and its officers, in this direction, the Memorialists can scarcely be altogether ignorant. Immediately in connexion with the statement, that the evils to which they advert appear to be on the increase, they allege, 'that gang robberies of the most daring character are perpetrated annually, in great numbers, with impunity.' The contrary of this is the fact; for, instead of increasing, the number of gang

robberies had decreased, in the districts referred to, from 439 in 1851, to 168 in 1854 (the reports for which year are the last we have received in detail), and the decrease was still progressing: the most formidable gang of dacoits had been broken up, and upwards of 200 of their members had been convicted, of whom 180 had been transported for life."

That this is no answer whatever to the Memorialists is clear from Mr. Halliday's own statement on this very point. Mr. Halliday says, quoting from the Minute of Mr. Bethune, of the 27th May, 1851, that the complaints recently made of outrageous dacoities, and acts of violence, point rather to *a deterioration* than to an improvement of the practical working of the system of police thirteen years previously, when one-fourth more in proportion to their number were convicted in the lower provinces for murder, thuggee, burglary, robbery, and theft, than the rest of the population, for all offences of every kind. Mr. Halliday says further in his first Minute, that in the seven districts, *about Government House*, dacoities had increased from 82 in 1841, to 524 in 1851! And then he adds, "It is true that under *a special agency*, this has since been reduced to 111 in 1855. *But the operations of this agency have shown more than any thing else the utter inability of our ordinary institutions to cope with the enormous social evil that is ever rising up in defiance before it.*"* So that the answer to the Memorialists is entirely beside the mark, and if Mr. Halliday is to be believed, the Memorialists on this point are right, and the Court of Directors wrong. Mr. Grant also, as we have seen, agrees with the Memorialists here. *Mr Halliday.*

The conclusion I draw from the whole is, that unless the action of Parliament, as the exponent of public opinion in England, is brought to bear on the Government of India, these social wrongs will be denied or softened down, and remedies

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* *See* page 36.

delayed as they have hitherto been. For all the evidence I have brought, is evidence drawn from a period later than the last Charter in 1853.

I sincerely rejoice that the President of the Board of Control is responsible to the Parliament of England for the good government of India. In the late debate, he expressed surprise that I had done an injustice to the Directors, in not referring to their despatch of 24th September, 1856, recognising the evils of which I complained. Now, in the first place, though the paper containing that despatch is headed "Police System, Bengal," it appears to me only to refer to Bengal in common with the rest of India, and not as requiring any special attention; and secondly, it is certainly extraordinary that in resisting my motion for *inquiry*, and falling back upon Mr. Halliday's opinion expressed one week before this very despatch was written, namely, September 18, that the time for action was come, the despatch should conclude thus, "We have thrown out the foregoing remarks, *merely as suggestions*, upon a subject to which we attach very great importance; and we desire that you will take the subject into your early consideration, and *after communication with the other* Presidencies, *report fully to us your sentiments* as to the expediency of the general reorganisation of the police throughout India, upon some such system as that which obtains with respect to the police in the Punjaub, and as to the mode and cost of the proposed reform." So that from this despatch, to which Mr. Vernon Smith referred me, and for which I had moved myself, I gather that in September the Court of Directors did not agree with Mr. Halliday that the time for action was come. The only difference between the Court in September and myself in June is, that I asked that the result of the Bengal inquiry should be laid on the table of the House of Commons; and this is a most important difference, I admit.

Indeed this is *the* point of my motion, as I fully believe that reams of paper have been covered with suggestions. Indeed,

the Lieutenant-Governor seems weary of fruitless schemes, and Mr. Grant the same. But why have they been fruitless? Because all has been private. And because it is very difficult to fasten responsibility where there are three governing powers. My object has been to bring all into the light of day as the means of producing action, and public inquiry seemed the only mode likely to be successful in attaining this object.

I wish to add a few words with respect to the Missionaries themselves. Had the evils they deplored not been exactly those which they would discover in the course of their labours, there might be ground for the assertion that they have been stepping out of their province. But even with respect to the question of the landed tenure, which is the most political question they have touched, I have shewn in this pamphlet, that it most seriously affects the state of Christian ràyats under heathen zemindars, and also the success of Christian missions; as in the case where the zemindars proposed to make a condition of their lease that the ràyats should not turn Christians, and this in a country where not to get land is to starve.

I have always considered as one of the first rights of Englishmen, the right to petition Parliament; and yet in the late debate, the exercise of that birthright of Englishmen was ridiculed by a so-called Liberal Member of the House of Commons, the honourable Member for the Tower Hamlets. I say much more than that the Missionaries had a right to petition,—I maintain that they would have been chargeable with a neglect of duty, had they, knowing such terrible evils to exist, held their peace. It has been said that the early Apostles did not do so. But were the Apostles responsible for the crimes committed by the Roman government? The Missionaries share in the responsibility attaching to every Englishman of bringing his influence to bear on the Government in correcting abuses. The Missionaries belong to the governing class in India, which are the English. Some of them would adorn our House of Commons, and might perchance have sat in it had they not

given themselves to their noble work. Dr. Duff probably knows more of India than any Member of that House. What would such an objector say, if in the remoter districts of England the police were to commit murder and to shelter murderers, to rob, to be worse than the rest of the population, and some of the more powerful inhabitants were to seize the houses and the property of their defenceless neighbours, as was done in Baropakhya, and to be protected by a Magistrate in so doing? What would he say if the Clergy of the district, were to hold their tongue because the Apostles contented themselves with preaching the Gospel, without abusing the Roman Government? Whatever might be said by this objector, I believe the country would execrate such Ministers.

But what is more extraordinary still, it seemed almost to be believed that I had stepped out of my line of duty; and that because I had presented the Missionaries' petition, it would have been an improper interference with the Government of India had I carried a motion founded on that petition. May not any Member make any motion he pleases? Is it not the duty of the House of Commons to interfere with Governments?

And is it not a new doctrine that a commission of inquiry supersedes the authorities? Did it do so in Ceylon? or in Ireland? or in Canada? or in the late war? Such an argument indicates the weakness of the cause to be defended.

I was also called the mouthpiece of the Missionaries; I have no objection to that appellation, only I was not their mouthpiece. My motion was a thoroughly independent one. I did not even rely on the Missionaries' assertions (however true) for my evidence. My Right Honourable friend, the President of the Board of Control, noted this in the debate, as if I ought to have done so. Why it would have been suicidal to do so. The question I wished the House to decide upon, was, whether the Missionaries were right in their assertions; and I think I have proved that they were in all essential points right. If I succeed in fixing the attention of thoughtful

LONDON:
Printed by W. CLOWES and SONS,
14, Charing Cross.

Digitized with financial assistance from the
Government of Maharashtra
on 02 July, 2018